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CrI.O.P.No.81 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.01.2026

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.81 of 2026
and CrI.M.P.No.79 of 2026

Govarthanan R

... Petitioner

Vs.

1. The State represented by,
The Inspector of Police,
Ponneri Police Station,
Tiruvallur District. (Crime No.73 of 2018)

2. Raja

... Respondents

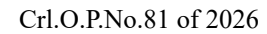
PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for the records relating to the First Information Report in Crime No.73 of 2018 pending on the file of the first respondent police and quash the same.

For Petitioner : Mr.T.Balaji

For R1 : Mr.S.Santhosh
Government Advocate (Criminal Side)

ORDER

The present Criminal Original Petition has been filed seeking to quash the First Information Report against the petitioner in Crime No.73 of 2018, on the file of the first respondent Police.





3.3. Hence, the investigation ought to have been completed and the final report filed within one year from the date of registration of the FIR, as mandated under Section 468 Cr.P.C. Therefore, there is a clear bar for taking cognizance if it is filed beyond one year.

3.4. Since the final report has not been filed within one year, the learned Magistrate is barred from taking cognizance. Hence, the continuation of the proceedings against the petitioner is an abuse of process of law and the same is liable to be quashed.

4. Learned Government Advocate (Criminal Side) appearing for the first respondent police submitted that the investigation in this case has been completed and the charge sheet is yet to be filed before the jurisdictional Magistrate.

5. Heard both sides and perused the materials available on record.

6. For the punishments set out in paragraph 3.2, supra, the final report ought to have been filed within one year from the date of registration of the FIR, as per Section 468(2)(b) of Cr.P.C. However, in the instant case,



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the final report has not been filed though the period of one year has lapsed since the registration of the FIR and therefore, cognizance cannot be taken.

7. In view of the above, this Court is of the opinion that no useful purpose would be served by keeping the impugned First Information Report pending. Accordingly, the Criminal Original Petition stands allowed and the First Information Report pending against the petitioner in Crime No.73 of 2018, on the file of the first respondent police, is hereby quashed. Consequently, the connected miscellaneous petition is also closed.

09.01.2026

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Neutral Citation: Yes/No

To

1. The Inspector of Police,
Ponneri Police Station,
Tiruvallur District.
2. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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