



Crl.O.P(MD)No.621 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.01.2026

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD)No.621 of 2026

and

Crl.M.P(MD)No.635 of 2026

Gurusankar

... Petitioner/Sole Accused

Vs.

1.The State of Tamilnadu,
Rep.by The Inspector of Police,
Batlagundu Police Station,
Dindigul District.
(Crime No.159/2019)

... Respondent/Complainant

2.P.Mayan

... Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the entire relevant records pertaining to impugned FIR in Report in Crime No.159/2019 dated 28.04.2019 pending on the file 1st respondent police and quash the same.

For Petitioner : Mr.K.Bharathi

For R1 : Mr.S.Ravi
Additional Public Prosecutor



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ORDER

Seeking to quash the First Information Report in Crime No.159 of 2019 on the file of the 1st respondent police, this criminal original petition is filed.

2. The learned Additional Public Prosecutor submitted that already final report has been laid before the learned Judicial Magistrate Court, Nilakottai by e-filing. However, the learned counsel for the petitioner submitted that albeit laying a final report, this Court can interfere considering the nature of the allegations involved, as the offences for which the petitioner is charged are not made out.

3. The case of the prosecution is that on 28.04.2019 at about 1.00 p.m., the 2nd respondent received an information from the Chennai Modern Control room that at about. 10.00 p.m., one unidentified person called the control room number through his mobile number 7540035182 and scolded the then Chief Minister of Tamil Nadu and



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threatened him with death. On enquiry, the respondent police found that the petitioner's name has been registered with the said mobile number and had registered the case for the offences under Sections 294 (b) and 507 of IPC.

4. A careful perusal of the FIR would reveal that a call had been received from an unidentified person from a mobile 7540035182 on 28.04.2019 at about 10.00 p.m. abusing the then Chief Minister of Tamil Nadu with dire consequences. The said FIR came to be registered confirming that the said mobile phone is continuously being used by the petitioner.

5. A careful reading of the FIR would reveal that the case of the prosecution is not that he had certainly called the Control Room, but that the call has been received from an unknown person and since the mobile is identified to be the one registered in his name, without any concrete evidence that it was used by him, the FIR came to be registered. The categorical contention of the petitioner is that he had



never made such a call at any point of time. He further pointed out that the respondent police is strictly barred by the provisions of Section 468 (2) of Cr.P.C from laying a charge sheet, since the same is barred by limitation.

6. In view of the same, the learned Additional Public Prosecutor submitted that only on prompt investigation and after obtaining the registration of the petitioner with respect to the phone which stands in his name, the FIR came to be registered and charge sheet has also been laid and sought for dismissal of the same.

7. Heard the learned counsel on either side and perused the materials available on record.

8. As far as the offence under Section 507 is concerned, the punishment is only a term of two years and for the offence under section 294 (b) of IPC, the punishment is 3 months or fine or with both. The date of FIR being 28.04.2019, the respondent police obviously



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cannot lay a final report after the mandated period in terms of Section 468. Hence, the FIR is hit by Section 468(2) of Cr.P.C.

9. Therefore, the FIR in Crime No.159 of 2019 on the file of the 1st respondent police is quashed and the Criminal Original Petition is allowed. Consequently, connected Miscellaneous Petition is closed.

12.01.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No

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To

- 1.The Inspector of Police,
Batlagundu Police Station,
Dindigul District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

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