



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.06.2026

CORAM

THE HONOURABLE MR JUSTICE R.VIJAYAKUMAR

**Crl. OP(MD).No.7658 of 2024
and Crl.M.P(MD).No.5352 of 2026**

1.Gokula Krishnan
Wrongly mentioned in FIR as Gokul Krishna

2.Ravikumar

3.Vanjinathan

4.SaravanakumarPetitioner/Accused Nos. 1 to 4

Vs

1.The State represented by
The Inspector of Police
Thallakulam Police Station
Madurai District
In Crime No.134 of 2020

...1st Respondent/Complainant

2.Jeen Walter

..2nd Respondent/Defacto Complainant

Prayer: This petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the impugned charge sheet in C.C.No.33 of 2024 on the file of the Judicial Magistrate No.II Court, Madurai for the alleged offence under Sections 109, 341, 323 and 506(i) I.P.C and to quash the same as illegal as against the petitioner/Accused Nos.1 to 4.



WEB COPY



For Petitioner : Mr.M.Vivek Kumar

For Respondents : Mr.J.Vishnu
Government Advocate (Crl.side) for R1

ORDER

The present petition has been filed by the accused persons in C.C.No. 33 of 2024 on the file of the Judicial Magistrate No.II Court, Madurai seeking to quash the charge sheet wherein the petitioners are charged with the offences under Sections 109, 341, 323 and 506(i) I.P.C

2.According to the learned counsel appearing for the petitioners, the maximum punishment for each one of the respective offence is three years. However, the charge has been laid beyond a period of three years and therefore, in view of Section 468(2)(c) of Cr.P.C is barred by limitation.

3.The learned Government Advocate (Crl.side) appearing for the first respondent had submitted that though the charge sheet has been prepared on 11.03.2020, it has been laid before the Judicial Magistrate No.II, Madurai only on 01.08.2023.

4.Heard the learned counsel appearing on either side and perused the material records.

5.The F.I.R as against the petitioners has been registered on 19.01.2020 and the charge sheet has been laid before the concerned Court on 01.08.2023. The petitioners are charged with the offence under Sections 109, 341, 323



WEB COPY

and 506(i) I.P.C. The maximum punishment for each one of the offences is three years. Therefore, unless the charge sheet is laid within three years, the same cannot be taken on file in view of bar under Section 468 Cr.P.C.

6. Admittedly, in the present case, the charge sheet has been laid after a period of three years. The continuation of the criminal proceedings as against the petitioners would only be an abuse of process of law and therefore, it is liable to be quashed.

7. In view of the above said facts, this Criminal Original Petition stands allowed. Consequently, connected miscellaneous petition is closed.

09.06.2026.

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

To

1. The Judicial Magistrate No.II
Madurai

2. The Inspector of Police
Thallakulam Police Station
Madurai District

3. The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai



WEB COPY



R.VIJAYAKUMAR, J.

msa

Crl. OP(MD).No.7658 of 2024
and Crl.M.P(MD).No.5352 of 2026

09.06.2026