



CRL OP(MD). No.8999 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : **01/06/2026**

CORAM :

THE HONOURABLE MR. JUSTICE R.VIJAYAKUMAR

CRL OP(MD).No.8999 of 2026

and

CrI.M.P.(MD).No.9558 of 2026

1. PARTHIBAN

2. PERIYASAMY

3. SEKAR

4. GUINASEKARAN

5. RAJENDRAN

... Petitioners/Accused

Nos.1 to 5

Vs

1. The State of Tamilnadu Rep.by
The Sub Inspector of Police,
Kottampatti Police Station,
Kottampatti,
Madurai District (Cr.No.105 of 2024)

2. Annadurai

... Respondents

PRAYER:- Criminal Original petition filed under Section 528 of BNSS, to call for the entire records pertaining to the FIR in Cr.No.105 of 2024, dt.31.03.2024 on the file of the Sub Inspector of Police, Kottampatti Police Station, Madurai District and quash the same in respect of the petitioners and pass such any or further orders.

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For Petitioners : Mr.C.Asaithambi

For Respondents : Mr.P.Samuel Gunasingh
Counsel for State of TN (crl.side)

ORDER

The present petition has been filed by the Accused Nos.1 to 5 in Crime No.105 of 2024 on the file of the first respondent police to quash the FIR, wherein, the petitioners are alleged to have committed offences punishable under Sections 143 and 341 of IPC.

2. A perusal of the FIR reveals that the petitioners conducted the Manjuvirattu festival without obtaining proper police protection, and hence, the FIR was registered on 31.03.2024. The maximum punishment that can be imposed under Section 143 IPC is imprisonment for a term which may extend up to six months. The maximum punishment that can be imposed for an offence under Section 341 IPC is simple imprisonment for a term which may extend to one month.

3. As per Section 468 of Cr.P.C., the Court cannot take cognizance of an offence after a period of one year where the term of imprisonment does not exceed one year. In the present case, the term of imprisonment



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does not exceed one year; therefore, unless the charge sheet is filed within a period of one year, the Court would be barred from taking cognizance.

4. The learned Counsel appearing for the first respondent submits that, though the case was registered on 31.03.2024, no charge sheet has been filed so far.

5. In such view of the matter, it is clear that the case is hit by limitation as contemplated under Section 468(2)(b) of Cr.P.C.

6. In such circumstances, the FIR in Crime No.105 of 2024 on the file of the first respondent police stands quashed. Accordingly, this Criminal Original Petition stands allowed. Consequently, connected miscellaneous petition is closed.

01.06.2026

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R.VIJAYAKUMAR, J

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To:

1. The Sub Inspector of Police,
Kottampatti Police Station,
Kottampatti,
Madurai District
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD). No.8999 of 2026

Date : 01/06/2026