



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.03.2026

CORAM

THE HONOURABLE MR JUSTICE R.VIJAYAKUMAR

Crl. OP(MD).No.19827 of 2025

and

Crl.M.P(MD).No.16640 of 2025

1.M.Jothilingam

2.L.Koodalingam

....Petitioners

Vs

The Inspector of Police
PEW Srivilliputhur Police Station
Virudhunagar District
Crime No.304 of 2016

....Respondent

Prayer: This petition has been filed under Section 528 BNSS, to call for the records relating to the proceedings of the First Information Report in Crime No.304 of 2016 pending on the file of the respondent police and quash the same in respect of petitioner herein.

For Petitioners : Mr.E.Mareeskumar

For Respondent : Mr.A.Albert James

Government Advocate (Crl.side)

ORDER

The present petition has been filed by the accused in crime No.304 of 2016 on the file of the respondent police seeking to quash the F.I.R which has



been laid under Section 4(1)(a) and Section 24 of Tamil Nadu Prohibition Act.

2.As per the case of the prosecution, the 2nd accused has got license to run the bar and the 1st accused is an employee. The officials of the respondent police are said to have conducted an inspection on 22.07.2016, it was found that the liquor bottles were stocked in the bar and therefore, the present F.I.R has been registered.

3.According to the learned counsel for the petitioner, the F.I.R was registered on 22.07.2016 and so far, charge sheet has not been paid. It is brought to the notice of the Court that the prosecution had filed an application under Section 473 Cr.P.C to condone the delay in filing the final report and the same was dismissed by Judicial Magistrate No.I, Sivakasi on 30.05.2025.

4.The maximum punishment that could be imposed for the above said offence is for a period of three years. Therefore, in view of Section 468(1)(c) of Cr.P.C, the charge sheet has to be laid within a period of three years. In the present case, admittedly for the past 10 years, the charge sheet has not been laid and an attempt was made under Section 473 Cr.P.C seeking extension of limitation was also not successful.



WEB COPY

5. In such circumstances, no useful purposes will be served in keeping the FIR pending. Hence, this Criminal Original Petition stands allowed. Consequently, connected miscellaneous petition is closed.

04-03-2026

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

To

1. The Inspector of Police
PEW Srivilliputhur Police Station
Virudhunagar District
Crime No.304 of 2016

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



WEB COPY



R.VIJAYAKUMAR, J.

msa

Crl. OP(MD).No.19827 of 2025
and
Crl.M.P(MD).No.16640 of 2025



WEB COPY



04.03.2026