



Crl.O.P.No.10161 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2026

WEB COPY

CORAM:

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

Crl.O.P.No.10161 of 2026

and

Crl.M.P.No.7240 of 2026

Dr.Thol.Thirumavalavan

...Petitioner

Vs.

1. State rep. by,
The Inspector of Police,
Odiansalai Police Station,
Puducherry – 605 0001.

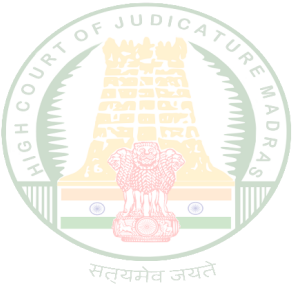
2. Kannan

...Respondents

Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for entire records in connection with the Final report in C.C.No.1571 of 2025, pending on the file of the Chief Judicial Magistrate Court, Puducherry and quash the same.

For Petitioner : Ms.S.Deepika

For Respondents : Mr.M.V.Ramachandra Murthy,
Public Prosecutor (Puducherry),
Assisted by Mr.Thamizhmani, for R1



Crl.O.P.No.10161 of 2026

ORDER

WEB COPY

This criminal original petition has been filed seeking quashment of the Final report in C.C.No.1571 of 2025, pending on the file of the Chief Judicial Magistrate Court, Puducherry.

2. Based on the complaint lodged by the 2nd respondent alleging that on 09.11.2019 at 21.00 hrs, the petitioner, being a Member of Parliament, delivered a hate speech with deliberate and malicious intent of outraging the religious feelings of Hindus in a meeting held at Kamban Kaviyarangam at Puducherry, a case in Crime No.743 of 2019 came to be registered by the Perambalur Police Station for the offences under Section 153B, 295A, 298 and 504 of IPC and the same was later transferred to the file of the 1st respondent police for want of jurisdiction and the same was re-numbered as Crime No.34 of 2020. Upon completion of the investigation, the final report came to be filed before the Chief Judicial Magistrate Court, Puducherry for the abovesaid offences and the same was taken on file in C.C.No.1571 of 2025, which is now sought to be quashed.

3. The maximum punishments prescribed for the aforesaid offences are tabulated hereunder:

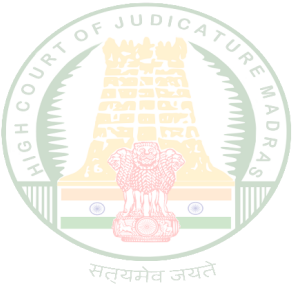


WEB COPY

Sections	Punishment
153B of IPC	Imprisonment may extend to three years, or with fine or with both
295A of IPC	Imprisonment may extend to three years, or with fine or with both
298 of IPC	Imprisonment may extend to one year, or with fine or with both
504 of IPC	Imprisonment may extend to two years, or with fine or with both

4. For the punishments set out at paragraph 3, supra, the final report ought to have been filed within three years from the date of registration of the FIR, as per Section 468(2)(c) of Cr.P.C. However, in the instant case, the final report has not been filed within three years from the date of registration of FIR and the same has been filed only on 30.10.2025. This position is admitted by the learned Public Prosecutor (Puducherry) appearing for the 1st respondent as well. Further, no prior sanction as mandated under Section 196(1A) of Cr.P.C. has been obtained before filing the present case against the petitioner.

5. Ergo, on the aforesaid grounds, the impugned proceedings is liable to be quashed and it is accordingly quashed in its entirety.



Crl.O.P.No.10161 of 2026

WEB COPY

6. As a sequel, this criminal original petition stands allowed.

Connected criminal miscellaneous petition is closed.

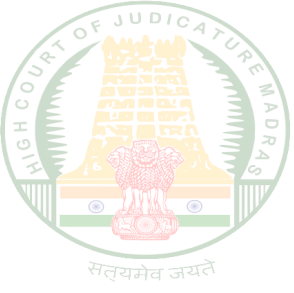
29.04.2026

skt

Neutral Citation: Yes/No

To:

1. The Chief Judicial Magistrate,
Puducherry.
2. The Inspector of Police,
Odiamsalai Police Station,
Puducherry – 605 0001.
3. The Public Prosecutor,
High Court of Madras.



WEB COPY



CrI.O.P.No.10161 of 2026

A.D.JAGADISH CHANDIRA, J.

skt

CrI.O.P.No.10161 of 2026
and
CrI.M.P.No.7240 of 2026

29.04.2026