

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Cr1.O.P.No.2044 of 2016

K.Ramesh Kumar .. Petitioner/Accused No.3

Vs.

1.State rep. by
Inspector of Police
CCB, Tiruppur.
Crime No.27of 2008 .. 1st Respondent/Complainant

2.A.S.M.Ramasamy .. 2nd Respondent/Defacto complainant

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records and quash the case in C.C.No.646 of 2014 on the file of the learned Judicial Magistrate No.II, Tiruppur.

For Petitioner : Mr.V.Anandhan
For Respondent : Mr.M.Mohamed Riyaz
Govt. Adv. (Cr1.side)

O R D E R

The petitioner has come forward with this petition to quash the case in C.C.No.646 of 2014 on the file of the learned Judicial Magistrate No.II, Tiruppur.

2.Learned counsel for the petitioner submits that F.I.R. has been registered against the petitioner on 10.10.2008 for offence under Sections 379 and 420 IPC. But charge sheet has been laid on 01.10.2014. So it is hit by Section 468 Cr.P.C. and it is barred by time. Hence, he prayed for quash the case in C.C.No.646 of 2014.

3.Heard the learned Government Advocate (Cr1.side).

4.On perusal of F.I.R., it reveals that the case has been registered against the petitioner on 10.10.2008 for offence under Sections 379 and 420 IPC. After due

investigation, final report has been filed only under Section 379 IPC, whereas the case has been registered under Sections 379 and 420 IPC, punishment for Section 420 IPC is seven years, so filing of the charge sheet is not hit by limitation.

5.In view of the above, this Criminal Original Petition is dismissed as devoid of merits. The trial Court is directed to dispose of the case in C.C.No.646 of 2014 within a period of three months from the date of receipt of a copy of this order.

sd/-

Assistant Registrar(Cs-VII)

/TRUE COPY/

Sub-Assistant Registrar

kj

To

1.The Judicial Magistrate No.II, Tiruppur.

2.Inspector of Police
CCB, Tiruppur.

3.The Public Prosecutor
High Court, Chennai.

+1 CC to MR.V.Anandhan Advocate. SR.NO. 6054

Cr1.O.P.No.2044 of 2016

CO-SVJ

JD 11/02/2016

सत्यमेव जयते

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