

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **20.12.2018**

CORAM:

THE HONOURABLE MR.JUSTICE **N.ANAND VENKATESH**

Crl.O.P. No.29151 of 2018

and

Crl.M.P.No.17056 of 2018

P.Gbinath

.. Petitioner

. Vs .

The State rep. by,
The Inspector of Police,
Thiruppur North Police Station,
Thiruppur.

..Respondent

Crime No.766 of 2013

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records on the file of the Inspector of Police, Tiruppur North Police Station, Tiruppur District in Crime No.766 of 2013, and quash the same.

For Petitioner : Mr.V.Balamurugane

For Respondent : Mr.M.Mohamed Riyaz, APP

ORDER

This Criminal Original Petition has been filed seeking to quash the F.I.R in Crime No.766 of 2013, pending on the file of the respondent.

The petitioner has been arrayed as A1 in the FIR. The FIR has been

registered for an offence under Sections 147, 148, 294(b), 323, 324, 332, 336, 353, 354, 452 IPC and Section 4 of TNPWH Act of 1998, and Section 3 of TNPPDL Act, 1992.

2.The first information report came to be registered on 06.09.2013. It is seen that there is an inordinate delay in completing the investigation and till today, no final report has been filed. Such unexplained and inordinate delay by itself is a ground to quash the FIR. Even, if the investigation is permitted to be continued, it will be a futile exercise, since there is an inordinate delay and the investigation will not see its logical conclusion.

3.It is also seen from records that this Court has already quashed the FIR insofar as almost all the other accused persons. Therefore, no useful purpose will be served by keeping the FIR pending against the petitioner and it will in fact be a stumbling block for his future life.

4.This Court insisted for an affidavit to be filed by the petitioner to the effect that he will not involve himself in any violence in future. The petitioner has filed an affidavit before this Court expressing his unconditional apology, and undertaking that he will not involve in any

violence in future. The said undertaking affidavit is taken on file and it shall form part and parcel of this order.

In the result, the FIR in Crime No.766 of 2013, pending on the file of the respondent Police is hereby quashed. Accordingly, this criminal original petition is allowed. Consequently, the connected miscellaneous petition is closed.

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Index: Yes/No
Internet: Yes/No
KP

To

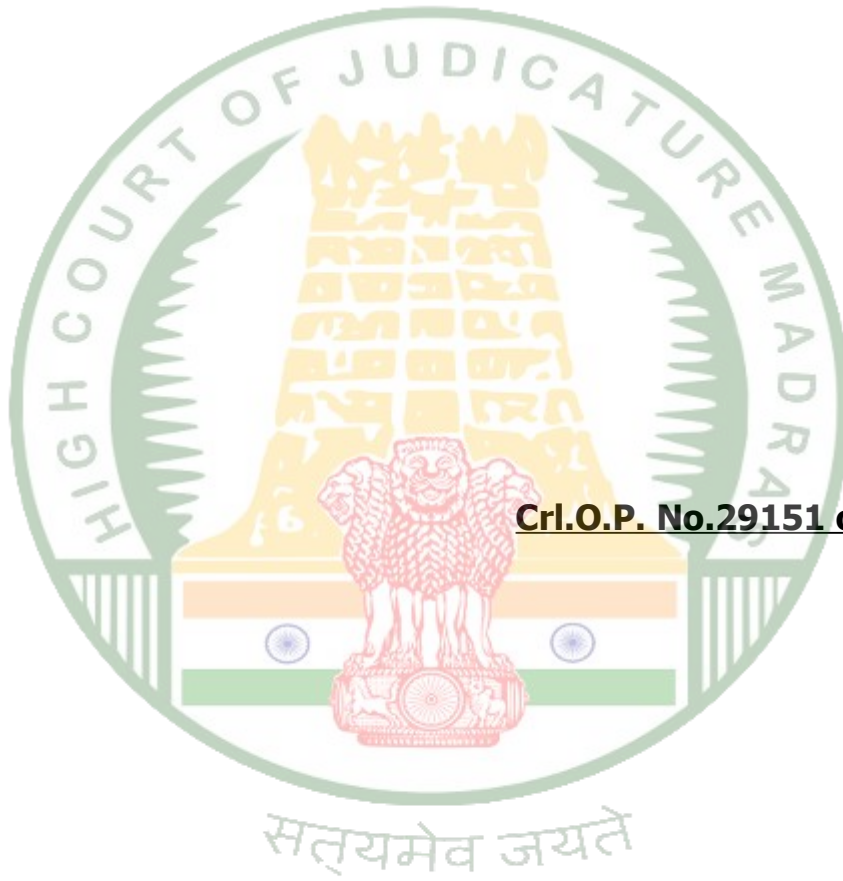
1.The Inspector of Police,
Thiruppur North Police Station,
Thiruppur.

2.The Public Prosecutor,
High Court of Madras,
Madras.

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N.ANAND VENKATESH,. J

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