



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.03.2018

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.R.C.(MD)No.188 of 2018

Indira Gandhi : Petitioner / Defacto Complainant  
-Vs.-

1.State represented by  
The Inspector of Police,  
Pettavaithalai Police Station,  
Trichy District. : Respondent No.1 / Complainant

2.Marudhavanan

3.Krishnan

4.Shanmugam : Respondents No.2 to 4 / Accused

Prayer: Criminal Revision Case is filed under Sections 397 and 401 Cr.P.C., to call for the records and to set aside the order passed by the learned Judicial Magistrate No.III, Trichirappalli and further direct the respondents to further investigation in Crime No.58 of 2011 and to file the fresh report and accordance with law by allowing this Revision.

For Petitioner : Mr.N.R.Murugesan

For Respondent No.1 : Mrs.S.Bharathi

Government Advocate

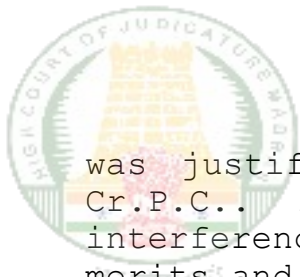
For Respondent No.2 to 4 : No appearance

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O R D E R

In respect of an incident that said to have been taken place on 09.04.2011, on the complaint lodged by the petitioner, the respondent police registered a case in Crime No.58 of 2011 on 28.08.2011 under Sections 341, 294(b) and 506(i) IPC against Marudhavanan and others. Since charge sheet was not filed till 20.11.2013, the trial Court has closed the prosecution in exercise of the power under Section 468(2) Cr.P.C., challenging which, the petitioner has filed the present Criminal Revision Case with a huge delay of 570 days. Therefore, the petitioner filed M.P.(MD)No.1 of 2015 in Cr1.R.C.(MD)No.188 of 2018 under Section 5 of the Limitation Act for condonation of delay of 570 days and this Court has allowed the aforesaid petition today and has taken up the main Revision Case for hearing.

2. On a perusal of the impugned order, this Court finds that the incident had taken place on 09.04.2011 and till 20.11.2013, the police had not filed the charge sheet. Therefore, the trial Court



was justified in closing all the old FIRs under Section 468(2) Cr.P.C.. Hence, order of the trial Court does not warrant interference. Accordingly, this Criminal Revision Case is devoid of merits and the same is dismissed.

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Sd/  
Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate No.III, Trichirappalli.
2. The Inspector of Police,  
Pettavaithalai Police Station,  
Trichy District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

Cr1.R.C. (MD) No.188 of 2018  
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KK/KK/13.04.2018/SAR-4/2P-4C