



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved on : 22.01.2018

Delivered on : 02.02.2018

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CORAM

THE HONOURABLE MR. JUSTICE R.PONGIAPPAN

Crl.O.P. (MD) No.6983 of 2013

- 1.Sappani
- 2.Esakkiappan
- 3.Avoodaiappan
- 4.Ramalakshmi

... Petitioners/Accused Nos.1 to 4

Vs.

1. State Rep. by
The Inspector of Police,
Nanguneri,
Tirunelveli City,
Tirunelveli District.

2. Seethalakshmi

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.195 of 2012 of Nanguneri Police Station, Tirunelveli District, on the file of the Judicial Magistrate Court, Nanguneri, Tirunelveli District and quash the same.

For Petitioners	: Mr.V.Kannan
For R1	: Mr.A.Robinson
	Government Advocate (Crl. Side)
For R2	: Mr.T.Selvan

ORDER

The petitioners are Accused Nos.1 to 4 in Crime No.195 of 2012. The first respondent police registered the case for the offences under Sections 419, 465 and 471 IPC, based on the complaint given by one Seetha Lakshmi/second respondent. After registration of the case, the petitioners filed this petition under Section 482 Cr.P.C., in which, they are seeking the relief to quash the abovesaid F.I.R.

2.Since the case was registered in the year 2012, this Court before hearing arguments, addressed the learned Principal District Munsif-cum-Judicial Magistrate, Nanguneri, for submitting a report with regard to the status of the F.I.R. The learned District



Munsif-cum-Judicial Magistrate, Nanguneri, vide his letter dated 17.01.2018, in D.No.121/2018, stated that since the charge sheet has not been filed within the period of limitation, the Court has lodged the FIR on 28.06.2016 in L.F.No.502/2016.

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3. According to the letter sent by the learned Principal District Munsif-cum-Judicial Magistrate, Nanguneri, as of now, the FIR was closed as barred by limitation. Since the offences under Sections 419, 465 and 471 IPC are all punishable with 3, 2 and 2 years imprisonment or fine or both respectively, according to the punishment provided to the abovesaid offences, lodging the FIR by the learned Principal District Munsif-cum-Judicial Magistrate, Nanguneri, is only in accordance with law. Therefore, the prayer sought by the petitioner has become infructuous. Accordingly, this Criminal Original Petition is dismissed as infructuous.

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate,
Nanguneri,
Tirunelveli District.
2. The Inspector of Police,
Nanguneri,
Tirunelveli City,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.V.KANNAN, ADVOCATE IN SR No. 46184
+ 1 CC TO Mr.T.SELVAN, ADVOCATE IN SR No. 45800

SMN2

TE/SV-MMS/SAR-4 : 15/02/2018 : 2P/6C

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02.02.2018