

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2019

CORAM

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.NO.1269 OF 2019

AND

CRL.M.P.NO.831 OF 2019

1. V.S.J.Dinakaran
2. Shankar Ganesh
3. Sathish Kumar
4. Ravi Durai @ Ravi
5. K.Abbas
6. M.Saravanan
7. G.Saravanan
8. S.Suresh
9. P.Ramki

... Petitioners / Accused

Vs.

1. The State rep by,
The Inspector of Police,
Thirumullaivayal Police Station,
Chennai - 62.

... Respondents/Complainant

2. M.Palanisamy

... Respondents/Defacto Complainant

Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records the FIR in Crime No.253 of 2014 pending investigation on the file of the respondent.

For Petitioners : Mr.K.Raghunath

For R1 : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

WEB COPY

ORDER

This Criminal Original Petition has been filed seeking to call for the records the FIR in Crime No.253 of 2014 pending investigation on the file of the respondent police.

2. A case has been registered as against the petitioners in Crime No.253 of 2014 for the offences under Sections 341, 147,

427, 448, 506(i) IPC, which were subsequently, altered to 147 420 448 341 427 506(i) of IPC and Section 3 of TNPP (D & L) Act and Section 4 of Tamilnadu Prohibition of charging Exorbitant Interest Act 2003.

3. The learned counsel for the petitioners submitted that the offences under Sections 341, 147, 427, 448, 506(i) IPC are punishable below 3 years of imprisonment. As per the provision under Section 468 of C.R.P.C., there is a bar for taking cognizance after lapse of the period of limitation for the offences 341, 147, 427, 448, 506(i) IPC which punishable within a period of three years. So far, the first respondent has not filed any charge sheet and therefore, he sought for quashing the said FIR.

4. The learned Public Prosecutor submitted that the investigation is already completed and they are awaiting for approval of the learned additional public prosecutor.

5. Considering the above facts and circumstances of the case, the first respondent is directed to file a final report within a period of four weeks from the date of receipt of a copy of this order.

6. Accordingly, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

raja

To

1. The Inspector of Police,
Thirumullaivayal Police Station,
Chennai - 62.

2. The Public Prosecutor
High Court, Madras.

+1cc to Mr.R.C.Paul Kanagaraj, Advocate, S.R.No.14546

Cr1.O.P.No.1269 of 2019
and
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CS/25/03/2019