



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.12.2019

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

Crl.O.P. (MD) .No.2045 of 2019

P. Jayabal ...Petitioner/Accused No.2

Vs.

- 1.The State through,
Sub-Inspector of Police,
Thuraiyur Police Station,
Trichy District.
(in Crime No. 113/2009). ... 1st Respondent/Complainant
2. Sekar ... 2nd Respondent/Defacto
Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records relating to the FIR registered in Crime No.113 of 2009 on the file of the respondent police and quash the same concerning this petitioner/Accused No.2.

For Petitioner : Mr.A. John Vincent

For R1 : Mr.S.Bharathi
Government Advocate (Crl. side)

For R2 : No Appearance

O R D E R

The Criminal Original Petition has been filed to quash the FIR registered in Crime No.113 of 2009 on the file of the respondent police, as against the petitioner.

2. Today, when the matter is taken up for hearing, the learned Government Advocate (crl. Side) appearing for the respondent police would submit that, since victim was unconscious, a case was registered in Crime No.113 of 2009 for the offences under Sections 279, 337 of IPC. Subsequently, after the victim regaining conscious and after obtaining statement, the offences were altered into under Sections 147, 341, 294(b), 326 r/w 34 of IPC. She would further submit that, the respondent police after completing investigation



filed final report for the aforesaid offences.

3. Though there is no limitation for filing charge sheet for the offence under Section 326 of IPC, the respondent police has also filed a petition seeking extension of period of limitation, the learned Magistrate has granted extension and after filing final report and the same has been taken on file and numbered as C.C. No.229 of 2019 on the file of the learned Judicial Magistrate, Thuraiyoor. The statement is recorded.

4. In view of the aforesaid submission, the prayer sought for by the petitioner is infructuous. Accordingly, the Criminal Original Petition is dismissed as infructuous.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1. The Sub-Inspector of Police,
Thuraiyur Police Station,
Trichy District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.A.JOHN VINCENT, Advocate (SR-105628[F] dated
18/12/2019)

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JMN(08.01.2020) 2P : 4C