



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.09.2019

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl OP(MD)No.22800 of 2014

and

MP(MD)No.1 of 2014

1.Palanichamy

2.Loganathan

3.Suppiramani

... Petitioners / Accused Nos.2 to 4

Vs.

M.Periyasamy

... Respondent / Petitioner

Prayer : Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records in CC No.116 of 2014, on the file of the Judicial Magistrate Court, Kulithalai and to quash the same.

For Petitioners : Mr.K.R.Laxman

For Respondent : No appearance

ORDER

The petitioners herein are facing trial in C.C No.116 of 2014 on the file of the Judicial Magistrate Court, Kulithalai for the offences under Section 499 of IPC. It is a private complaint. The respondent is the complainant. According to the respondent, the petitioners herein have committed the offence in question as they gave false evidence in a judicial proceedings in April and May 2010. But then, the private complaint itself came to be filed only on 18.07.2014. Section 499 of IPC is an offence that is punishable with imprisonment for a period of two years. Section 468 (ii) of Cr.Pc lays down the period of limitation for taking cognisance. The court below could not have taken cognisance in this case beyond the period of limitation.



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2.In this view of the matter, the impugned prosecution stands quashed. This criminal original petition stands allowed. Connected miscellaneous petition stands closed.

Sd/-
Assistant Registrar(CS-II)

/TRUE COPY/

Sub Assistant Registrar

Skm

To

The Judicial Magistrate, Kulithalai.

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and
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18.09.2019

JM/23.10.2019/2P/2C