



WEB COPY

CRL.O.P(MD).No.13524 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.09.2019

CORAM

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

CRL.O.P. (MD) .No.13524 of 2019

and

CRL.M.P (MD) No.8264 of 2019

Pandian

... Petitioner

Vs.

1.State represented by
The Inspector of Police,
Karimedu Police Station,
Madurai District.
(Crime No.142 of 2017)

2.M.Kannan,
Inspector of Police,
Karimedu Police Station,
Madurai District.

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records of the case in Crime No.142 of 2017, on the file of the first respondent police and quash the same.

For Petitioner : Mr.S.Sundarapandian

For 1st Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to quash FIR in Crime No.142 of 2017, on the file of the first respondent police.

2.It is seen that the case has been registered for the offence punishable under Sections 4(1)(a) of Tamil Nadu Prohibition Act and Section 18(A) of Drugs and Cosmetics Act 1940.

3.As per Section 468(1)(2)(b) Cr.P.C, the first respondent ought to have been filed final report within a period of one year.

4.Admittedly, in the case on hand though charge sheet was laid for the offence under Section 4(1)(a) of Tamil Nadu Prohibition Act and Section 18(A) of Drugs and Cosmetics Act 1940, by the first respondent, it has not been filed within stipulated time under the criminal procedure code. Therefore, on this ground the proceedings in Crime No.142 of 2017 cannot be sustained.



5.Insofar as the offence under Section 18(A) of Drugs and Cosmetics Act 1940 is concerned, it will not at all apply to this case. The first respondent wrongly registered the case for the said offence.

6.In view of the above, this Criminal Original Petition is allowed and the case in Crime No.142 of 2017, is quashed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (P&A)

// True Copy //

Sub Assistant Registrar(CS)

das

To

- 1.The Inspector of Police,
Karimedu Police Station,
Madurai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.S. SUNDRA PANDIAN, Advocate SR-90640.

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CS(30.10.2019) 2P 4C