

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.OP.No.1755 of 2021
and
Cr1.MP.No.1018 of 2021

1. N.G.Tamilselvan
S/o.Gopal

2. Jagadeesan
S/o.P.Sivaprakasam

3. Kannadasan
S/o.Late D.Simon

.... Petitioners

Vs.

1.The Inspector of Police
Arakkonam Town Police Station
Arakkonam
Ranipet District.
(Crime No.294 of 2019)

2.Madhivanan
Special Thasildar
Social Security Scheme (SSS)
Incharge (I.C.) Flying Squad FS III
Arakkonam, Ranipet District.

.... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the case in Crime No.294 of 2019 pending investigation on the file of the 1st respondent and quash the same with regard to the petitioners.

For Petitioners : Mr.K.C.Senthil Kumar

For Respondents : Mr.C.Raghavan
Government Advocate (Cr1. Side)
for R1

O R D E R

On the consent given by either side, the main petition itself is taken up for final hearing.

2.The respondent Police have registered an F.I.R. against the petitioners for an offence punishable under Section 143 and 341 IPC.

3.In the considered view of this Court, the allegations made in the complaint, even if it is taken as it is, does not constitute an offence under Section 143 and 341 IPC. That apart, the maximum punishment provided for an offence under Section 143 IPC is six months and the maximum punishment provided for an offence under Section 341 IPC is one month. For these two offences, the final report ought to have been filed within a period of one year under Section 468 Cr.P.C. The F.I.R. was registered in the year 2019 and till now, no final report has been filed. Even if it is filed, the Court below will not take cognizance since it is barred by limitation.

4.In the considered view of this Court, no useful purpose will be served in keeping this F.I.R. pending for the reasons stated above. Accordingly, this Criminal Original Petition is allowed and the F.I.R. registered in Crime No.294 of 2019, pending on the file of the first respondent is here by quashed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

rm
To

1.The Inspector of Police
Arakkonam Town Police Station
Arakkonam,Ranipet District.

2.The Public Prosecutor,
High Court, Madras.
+lcc to Mr.K.G.Senthil Kumar, Advocate, sr no.6577

Cr1.OP.No.1755 of 2021

VSNI (CO)
RMP (23/02/2021)