



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2021

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

CrI.O.P (MD)No.20036 of 2021

Abdulthayyan

...Petitioner/Sole Accused

Vs

1.State rep. by

The Inspector of Police,
Ayyampetti Police Station,
Thanjavur District.
(In Crime No.280 of 2019)

...1st Respondent/Complainant

2.Karikarcholan

...2nd Respondent/
Defacto Complainant

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to call for the records in Crime No.280 of 2019 on the file of the first respondent and quash the same as illegal.

For Petitioner : Mr.B.Arun
For R1 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

The petitioner was found pasting a wall poster on 06.12.2019 at about 02.00 pm., Based on the information of the second respondent, Crime No.280 of 2019 was registered on the file of the first respondent for the offence under Section 4A(1a) of Tamil Nadu Open Places (Prevention of Disfigurement) Act, 1959.

2. The said offence is punishable with imprisonment for a term upto six months simple imprisonment. Therefore, the final report should have been filed within one year. Though more than two years have elapsed, till date final report has not been filed. Of-course, even after a lapse of limitation period, final report has been filed. If sufficient reason is made out, the court below can condone the delay. Before me, no convincing explanation has been putforth to explain the reason for non filing of the final report before the limitation period. Therefore, on this ground, this impugned FIR is quashed. This Criminal Original Petition is allowed.

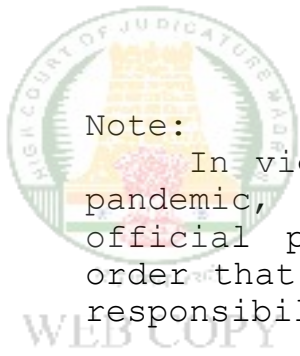
Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

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

+1 CC to M/s.B.ARUN, Advocate (SR-39324[F] dated 17/12/2021)
Crl.O.P (MD)No.20036 of 2021
16.12.2021

MGJ(06.01.2022) 2P 4C