



*Crl.O.P.No.20564 of 2021  
and Crl.MP.No.11213 of 2021*

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.09.2022

CORAM:

THE HONOURABLE Ms.JUSTICE **R.N.MANJULA**

**Crl.O.P.No.20564 of 2021**

**and**

**Crl.MP.No.11213 of 2021**

P.R.Pandiyan

...Petitioner

-Vs-

1. State by  
The Inspector of Police,  
Mannargudi Town Police Station,  
Thiruvarur District.

2. Petharaj

... Respondents

**Prayer:** Criminal Original petition filed under Section 482 of Code of Criminal Procedure, praying to call for the records of the FIR in Crime No.1432 of 2021 on the file of first respondent police station and quash the same.

For Petitioner : Mr.P.Pugalenthir

For Respondents : Mr.A.Damodaran  
Additional Public Prosecutor for R1

\*\*\*



*Crl.O.P.No.20564 of 2021  
and Crl.MP.No.11213 of 2021*

WEB COPY

### **ORDER**

This Criminal Original Petition has been filed to call for the records pertaining to FIR in Crime No.1432 of 2021 on the file of the first respondent and quash the same as illegal.

2. The case has been registered at the direction of the learned Judicial Magistrate-II, Mannargudi because of the failure on the part of the petitioner to appear before him for the proceedings pending against the petitioner and other accused in PRC.No.33 of 2017 pertaining to the Crime No.62 of 2015 on the file of Vikkkirapandiyam Police Station.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the first respondent. Perused the entire materials available on record.

4. On perusal of the records, it is seen that the FIR has been registered 02.09.2021. It is learnt that the petitioner has made his appearance subsequently and thereafter, PRC.No.33 of 2017 was committed to the



*Crl.O.P.No.20564 of 2021  
and Crl.MP.No.11213 of 2021*

WEB COPY

Sessions Court. The maximum punishment for offence under Section 229A IPC itself is one year simple imprisonment. So far, charge sheet has not been filed. In view of non filing of the charge sheet for more than one year, the case itself is barred by limitation in view of Section 468 Cr.P.C.

5. In the above circumstances, this Criminal Original Petition is allowed and the proceedings in FIR in Crime No.1432 of 2021 on the file of the first respondent is hereby quashed. Consequently, connected miscellaneous petition is also closed.

**28.09.2022**

Index : Yes/No

Speaking/Non Speaking order

kmi

To

1. The Inspector of Police,  
Mannargudi Town Police Station,  
Thiruvavarur District.
2. The Public Prosecutor,  
High Court of Madras,  
Chennai-104.



WEB COPY



*Crl.O.P.No.20564 of 2021  
and Crl.MP.No.11213 of 2021*

**R.N.MANJULA, J,**

kmi

Crl.O.P.No.20564 of 2021  
and Crl.MP.No.11213 of 2021

28.09.2022