



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2022

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cr1.O.P(MD)No.138 of 2022

and

Cr1.M.P.(MD)No.96 of 2022

Senthilraja

... Petitioner/Sole Accused

Vs.

State through by

1. The Inspector of Police,
Thirumangalam Town Police Station,
Madurai District.
(Crime No.160 of 2020)

... 1st Respondent/Complainant

2. Ganesan,
District Child Protection Officer,
District Child Protection Unit,
Madurai District.

... 2nd Respondent/Defacto
Complainant

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records relating to the FIR in Crime No.160 of 2020 dated 09.04.2020 on the file of the 1st respondent quash the same as against the petitioner/sole accused is concerned.

For Petitioner : Mr.M.Subash Babu
For Respondents : Mr.E.Antony Sahaya Prabahar,
Addl. Public Prosecutor.

O R D E R

Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor of the respondents.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The petitioner is figuring as an accused in Crime No.160 of 2020 registered on the file of the first respondent for the offence under Section 42 of the Juvenile Justice (Care and Protection of Children) Act, 2015.

WEB COPY

3.The petitioner is said to be running the institution in question without getting license. The offence carries sentence upto one year imprisonment. Therefore, the final report should have been filed on or before 08.04.2021. But till date, the final report has not been filed. Of-course, even after the expiry of the limitation period, the final report can be filed. But then, under Section 473 of CrPC, the delay has to be condoned. The Court concerned will condone the delay, if sufficient cause is made out. But then, in this case, no sufficient cause is forthcoming. Hence, invoking Section 468 of CrPC, while the FIR is not quashed, the prosecution is terminated.

4.This criminal original petition is allowed on these terms. Consequently, connected miscellaneous petition is closed.

Sd/-

Deputy Registrar(Accts)

// True Copy //

/ /2022

Sub Assistant Registrar

ias

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,
Thirumangalam Town Police Station,
Madurai District.



2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.M.SUBASH BABU, Advocate
(SR-3437[F] dated 01/02/2022)

CrI.O.P (MD) No.138 of 2022
and
CrI.M.P. (MD) No.96 of 2022
31.01.2022

SP/01/03/2022/3P/4C