



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.01.2022

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CrI.O.P(MD)No.1562 of 2022

S.Selvaraj

... Petitioner/Accused No.6

Vs.

The Inspector of Police,
Thirupalaikudi Police Station,
Ramanathapuram District.
(Crime No.76 of 2016)

... Respondent

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the entire relevant records connected to the First Information Report in Crime No.76 of 2016 dated 01.06.2016 pending on the file of the respondent police station and quash the same as illegal as against the petitioner.

For Petitioner : Mr.S.BALASUBRAMANIAN,
Advocate

For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (CrI. Side).

O R D E R

Heard the learned counsel for the petitioner and the learned Government Advocate (CrI. Side) for the respondent.

2.The petitioner is figuring as an accused in Crime No.76 of 2016 registered on the file Thirupalaikudi Police Station for the offence under Section 12 of Tamilnadu Gaming Act, 1930.

3.The FIR was registered on 01.06.2016. Therefore, the final report should have been filed within one year. It has not been filed and no explanation is also forthcoming. Therefore, this Court will be justified in invoking Section 468 of CrPC. That apart, the place where the offence was allegedly committed cannot be characterized as a common gaming house. Section 12 of the Act is also not attracted. Looked at from any angle, the registration of



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Crl.O.P(MD)No.1562 of 2022

the FIR is not maintainable. The impugned FIR is quashed and the criminal original petition is allowed. The benefit of this order will enure in favour of the non-petitioning accused also.

Sd/-
Assistant Registrar (Writ)

// 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,
Thirupalaikudi Police Station,
Ramanathapuram District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P (MD)No.1562 of 2022
Date:28.01.2022

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