



WEB COPY

Cr1.O.P(MD)No.1023 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.01.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cr1.O.P(MD)No.1023 of 2022

and

Cr.M.P(MD)No.729 of 2022

T.Ponnarasan

... Petitioner/Accused No.2
Vs.

The State represented by
The Inspector of Police,
Prohibition Excise Wing.
Dindigul District.
(Crime No.993 of 2017)

... Respondent/Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records pertaining to the impugned FIR in Crime No.993 of 2017 on the file of the respondent, dated 08.11.2017 and quash the same.

For Petitioner	:	Mr.A.Chandrakumar
For Respondent	:	Mr.E.Antony Sahaya Prabahar Additional Public Prosecutor

ORDER

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

2. The petitioner is figuring as A.2 in Crime No.993 of 2017 registered on the file of the respondent for the offences under Sections 4(1)(a), 4(1)(i) and 24 of Tamil Nadu Prohibition Act. The offences are carrying a maximum punishment of three years. Therefore, the respondent should have filed final report within three years. The said period had expired more than one year ago i.e., 07.11.2020. We are now January 2022. Of course, under Section 473 Cr.P.C. even after the expiry of the limitation period, final report can be filed and cognizance can be taken if sufficient cause is made out. The respondent is unable to come out with any such explanation. Therefore, for this reason, it is appropriate to terminate the prosecution. The prosecution stands terminated. This Criminal Original Petition is allowed. Consequently, connected miscellaneous petition is closed.

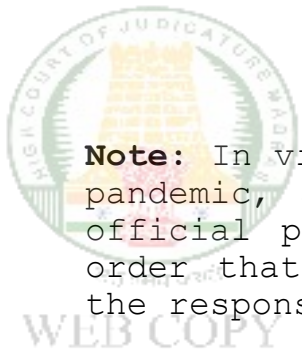
Sd/-

Assistant Registrar (Cr1.Side)

// 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,
Prohibition Excise Wing.
Dindigul District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P(MD)No.1023 of 2022
and
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27.01.2022

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