



Crl.O.P.(MD) No.12168 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 07.07.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.12168 of 2022

and

CRL.M.P(MD) No.7693 of 2022

John Prasanth Nickson

... Petitioner

Vs

1.The Inspector of Police,
Valliyoor Police Station,
Tirunelveli District.

2.A.Alwin

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records relating to the FIR in Crime No.168 of 2021 on the file of the first respondent and quash the same as against the petitioner is concerned.

For Petitioner : Mr.C.Susi Kumar

For 1st Respondent: Mr.M.Sakthi Kumar

Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.168 of 2021 on the file of the first respondent.



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2.The learned counsel appearing for the petitioner submitted that the the case has been registered against the petitioner in Crime No.168 of 2021 on 18.05.2021, for the offence under Section 269 of IPC. He further submitted that the respondent Police has not filed final report within the statutory period as prescribed under Section 468 of Cr.P.C., and the Criminal Proceedings against the petitioner is statutorily barred by limitation. Hence, he prayed to quash the criminal proceedings against the petitioner.

3.The learned Government Advocate (Crl. Side) appearing for the first respondent submitted that the final report has not been filed as on date.

4.On perusal of the materials available on records, the facts reveal that the case has been registered against the petitioner in Crime No.168 of 2021, on 18.05.2021, for the offence punishable under Section 269 of IPC. The offence punishable under Section 269 of IPC, is imprisonment for six months or with fine or both. The statutory period for prosecution is one year and the final report has not been filed within one year. Therefore, it is a case of statutorily barred by continuing the criminal proceedings and it is liable to be quashed.



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5. Accordingly, this Criminal Original Petition is allowed and as a sequel, the further criminal proceedings of the FIR in Crime No.168 of 2021, is hereby quashed as barred by limitation. Consequently, the connected criminal miscellaneous petition is closed.

07.07.2022

Internet: Yes./No
Index: Yes/no
vsg

To

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



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V.SIVAGNANAM, J.

vsg

ORDER IN
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