



Crl.O.P.(MD) No.12079 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 06.07.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.12079 of 2022

1. Akash
2. Nagaraj
3. Veeraiah

... Petitioners/ Accused Nos. 1 to 3

Vs

1. The State Represented by
The Inspector of Police,
Alangudi Police Station,
Alangudi,
Pudukkottai District.
(In Crime No.588 of 2020)

... 1st Respondent/Complainant

2. Vengatasalam

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records in F.I.R in Crime No.588 of 2020, on the file of the first respondent and to quash the same.

For Petitioners : Mr.E.Balasubramanian

For R1 : Mr.R.Suresh Kumar
Government Advocate (Crl Side)



Crl.O.P.(MD) No.12079 of 2022

ORDER

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This Criminal Original Petition has been filed to quash the FIR in Crime No.588 of 2020, on the file of the first respondent.

2.The learned counsel appearing for the petitioners submitted that the case has been registered against these petitioners in Crime No.588 of 2020 for the offence under Section 294(b) I.P.C. 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 petitioners is statutorily barred by limitation. Hence, he prayed to quash the criminal proceedings against the petitioners.

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 petitioners in Crime No.588 of 2020, on 10.08.2020, for the offence under Section 294(b) of IPC. The



Crl.O.P.(MD) No.12079 of 2022

offence punishable under Section 294(b) of IPC, is imprisonment for three months or with fine or both. The statutory period for prosecution is three months and the final report has not been filed within three months. Therefore, it is a case of statutorily barred for by continuing the criminal proceedings and it is liable to be quashed.

5. Accordingly, this Criminal Original Petition is allowed and as a sequel, the further criminal proceedings of the FIR in Crime No.588 of 2020, is hereby quashed as barred by limitation.

06.07.2022

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

1. The Inspector of Police,
Alangudi Police Station,
Alangudi, Pudukkottai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

3/4



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Crl.O.P.(MD) No.12079 of 2022

V.SIVAGNANAM, J.

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ORDER IN
CRL.O.P (MD) No.12079 of 2022

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