



CrI.O.P.(MD) No.12694 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 14.07.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.12694 of 2022

and

CrI.M.P(MD) No.8042 of 2022

1. Prasanth
2. Mahesh
3. Malaiarasan

... Petitioners/Accused No.23 to 25

Vs

1. The State Represented by
The Inspector of Police,
Valliyoor Police Station,
Radhapuram Taluk,
Tirunelveli District – 627 117.
(in Crime No.269 of 2020)

... 1st Respondent/ Complainant

2. T.S.Ponsan

... 2nd Respondent/ Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the entire records pertaining to the impugned First Information Report in Crime No.269 of 2019, on the file of the first respondent/Police and to quash the same as against the petitioners concerned as illegal.



Crl.O.P.(MD) No.12694 of 2022

For Petitioners : Mr.R.Karunanidhi
For R1 : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.269 of 2019 on the file of the first respondent.

2. The learned counsel appearing for the petitioner submitted that the the case has been registered against the petitioners in Crime No.269 of 2019 on 26.08.2019, for the offence under Sections 143, 341 and 283 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 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.



Crl.O.P.(MD) No.12694 of 2022

WEB COPY

4. On perusal of the materials available on records, the facts reveal that the case has been registered against the petitioner in Crime No.269 of 2019, on 26.08.2019, for the offence under Sections 143, 341 and 283 of IPC. The offence punishable under Section 143 of IPC, is imprisonment for six months or fine or both, Section 341 of IPC, is imprisonment for one month or fine of Rs.500/- or both and Section 283 of I.P.C, is imprisonment for fine of Rs.200/-. 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 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.269 of 2019, is hereby quashed as barred by limitation. Consequently, the connected criminal miscellaneous petition is closed.

14.07.2022

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

3/5



Crl.O.P.(MD) No.12694 of 2022

To

1. The Inspector of Police,
Valliyoor Police Station,
Radhapuram Taluk,
Tirunelveli District – 627 117.

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



WEB COPY



Crl.O.P.(MD) No.12694 of 2022

V.SIVAGNANAM, J.

ebsi

ORDER IN
CRL.O.P (MD) No.12694 of 2022

14.07.2022