



CrI.O.P.(MD) No.12971 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 20.07.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.12971 of 2022

and

CrI.M.P(MD) No.8229 of 2022

1. Kannan
2. Elladurai

... Petitioners/ Accused No.1 and 2

Vs

1. The State Represented by
The Inspector of Police,
Palani Town Police Station,
Dindigul District.
(Crime No.14 of 2018)

... 1st Respondent/ Complainant

2. A.Saravanakumar

... 2nd Respondent/ Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records relating to the impugned First Information Report in Crime No.14 of 2018, on the file of the first respondent and to quash the same as against the petitioners.

For Petitioners : Mr.D.Venkatesh

For R1 : Mr.M.Sakthi Kumar
Government Advocate (CrI.Side)



Crl.O.P.(MD) No.12971 of 2022

ORDER

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This Criminal Original Petition has been filed to quash the FIR in Crime No.14 of 2018, for the offences punishable under Sections 341, 188 and 353 I.P.C., on the file of the first respondent.

2. The learned counsel appearing for the petitioners submitted that the case has been registered against the petitioners in Crime No.14 of 2018, for the offences punishable under Sections 341, 188 and 353 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.14 of



Crl.O.P.(MD) No.12971 of 2022

2018, for the offences punishable under Sections 341, 188 and 353 I.P.C.

The punishment for offence under Sections 341 of IPC, is simple imprisonment for one month or fine of Rs.500/- or both, Section 188 of IPC, is simple imprisonment for one month or fine of Rs.200/- or both and Section 353 of IPC, is imprisonment for two years or fine or both. The statutory period for filing final report in this case is three years and the final report has not been filed within three years. Therefore, it is a case of statutorily barred investigation 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.14 of 2018, is hereby quashed as barred by limitation. Consequently, the connected criminal miscellaneous petition is closed.

20.07.2022

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



Crl.O.P.(MD) No.12971 of 2022

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To

1. The Inspector of Police,
Palani Town Police Station,
Dindigul District.

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



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Crl.O.P.(MD) No.12971 of 2022

V.SIVAGNANAM, J.

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ORDER IN
CRL.O.P (MD) No.12971 of 2022

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