



**Crl.O.P.(MD) No.13014 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.13014 of 2022**

**and**

**CrL.M.P(MD) No.8247 of 2022**

Muthulaxhmi

... Petitioner/ Accused No.3

Vs

1. The State Represented by  
The Inspector of Police,  
Velayuthapattinam Police Station,  
Sivagangai District.  
(Crime No.51 of 2018)

... 1<sup>st</sup> Respondent/ Complainant

2. Chithambaram

... 2<sup>nd</sup> Respondent/ Defacto Complainant

**PRAYER:** Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records pertaining to the impugned First Information Report in Crime No.51 of 2018, on the file of the first respondent police Station and to quash the same as illegal as against the petitioner is concerned.

For Petitioner : Mr.R.Karunanidhi

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



**Crl.O.P.(MD) No.13014 of 2022**

## **ORDER**

WEB COPY

This Criminal Original Petition has been filed to quash the FIR in Crime No.51 of 2018, for the offences punishable under Sections 448, 294(b), 323 and 506(i) I.P.C., dated 04.10.2018 on the file of the first respondent.

2. The learned counsel appearing for the petitioner submitted that the case has been registered against the petitioner in Crime No.51 of 2018, for the offences punishable under Sections 448, 294(b), 323 and 506(i) 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 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.



**Crl.O.P.(MD) No.13014 of 2022**

4.On perusal of the materials available on records, the facts reveal that the case has been registered against the petitioner in Crime No.51 of 2018, for the offences punishable under Sections 448, 294(b), 323 and 506(i) I.P.C., The punishment for offence under Section 448 of IPC, is imprisonment for one year or fine of Rs.1,000/- or both, Section 294 (b) is imprisonment for three months or with fine or both, Section 323 of IPC, is imprisonment for one year or fine of Rs.1000/- or both and Section 506(i) of I.P.C, 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.51 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

3/5



WEB COPY



**Crl.O.P.(MD) No.13014 of 2022**

To

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



WEB COPY



**Crl.O.P.(MD) No.13014 of 2022**

**V.SIVAGNANAM, J.**

ebsi

ORDER IN  
**CRL.O.P (MD) No.13014 of 2022**

**20.07.2022**