



CrI.O.P.(MD) No.13967 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2022

CORAM:

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CrI.O.P.(MD) No.13967 of 2022
and CrI.MP(MD)No.8959 of 2022

1. C.Saravanan

2. S.Radhika

... Petitioners

Vs

1. The Inspector of Police,
Velayuthapattinam Police Station,
Sivagangai District.
(In Crime No.51/2018)..

2. Chithambaram

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to call for the records pertaining to the impugned FIR in Crime No. 51/2018 on the file of R1 Police Station and quash the same as illegal as against the petitioners concerned.

For Petitioner : M/s. Karunanidhi R

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



CrI.O.P.(MD) No.13967 of 2022

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ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.51 of 2018, on the file of the first respondent Police.

2.The learned counsel for the petitioner submitted that the petitioner is an accused in Crime No.51 of 2018, which was registered on 04.10.2018, for the offence under Sections 448, 294(b), 323, 506(i) IPC. So far, final report has not been filed by the first respondent Police. The alleged offences are punishable, for which, imprisonment is below two years and hence, it is barred by limitation. Therefore, he prays to quash the FIR.

3.The learned Government Advocate (CrI.Side) submitted that so far final report has not been filed by the respondent Police.

4.I considered the matter in the light of discussions adduced by both parties. Perusal of records reveal the fact that in Crime No.51 of 2018, the date of occurrence is on 04.10.2018, admittedly charge sheet was not filed by the respondent Police. In view of Section 468 Cr.P.C, the final report has



CrI.O.P.(MD) No.13967 of 2022

to be filed within three years, since the alleged offences are punishable, for which, imprisonment is below two years, Hence, it is barred by limitation and it is liable to be quashed.

5. Accordingly, this Criminal Original Petition is allowed and the impugned FIR in Crime No.51 of 2018, on the file of the first respondent Police is hereby quashed. Consequently, connected miscellaneous petition is closed.

03.08.2022

Internet: Yes
Index: Yes
PNM

To
1. The Inspector of Police,
Velayuthapattinam Police Station,
Sivagangai District.
(In Crime No.51/2018)..

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



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CrI.O.P.(MD) No.13967 of 2022

V.SIVAGNANAM, J.

PNM

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