



Crl.O.P.(MD) No.13633 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 28.07.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.13633 of 2022

and

CrL.M.P(MD) No.8703 of 2022

Rengaraj

... Petitioner/ Accused No.8

Vs

1. The State Represented by
The Inspector of Police,
Vathalai Police Station,
Trichy District.
(Crime No.95 of 2014)

.... 1st Respondent /Complainant

2. Sampooranam

... 2nd 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.95 of 2014, dated 16.03.2014, on the file of the first respondent police and to quash the same so far as the petitioner is concerned.

For Petitioner : Mr.S.Sathya Chidambaram

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



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ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.95 of 2014, for the offences punishable under Sections 147, 323 and 506 (i) I.P.C, dated 16.03.2014, on the file of the first respondent police.

2. The learned counsel appearing for the petitioner submitted that the case has been registered against the petitioner in Crime No.95 of 2014, for the offences punishable under Sections 147, 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.



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4.On perusal of the materials available on records, the facts reveal that the case has been registered against the petitioner in Crime No.95 of 2014, for the offences punishable under Sections 147, 323 and 506 (i) I.P.C. The punishment for offence under Section 147 of IPC, is imprisonment for two years, or fine, or both, Section 323 of IPC, is imprisonment for one year or fine of Rs.1,000/- 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.95 of 2014, is hereby quashed as barred by limitation. Consequently, the connected criminal miscellaneous petition is closed.

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

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



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V.SIVAGNANAM, J.

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ORDER IN
CRL.O.P (MD) No.13633 of 2022

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