



CrI.O.P.(MD) No.13822 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.08.2022

CORAM:

THE HONOURABLE MR. JUSTICE **V.SIVAGNANAM**

CrI.O.P.(MD) No.13822 of 2022

and

CrI.M.P(MD) No.8848 of 2022

J.Suman @ Jeyasuman,

: Petitioner

Vs

1. State represented by
The Inspector of Police,
Thideer Nagar Police Station,
Madurai.
Crime No.640 of 2016.

2. P.Pandiyan,

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to call for the records in Crime No.640 of 2016 on the file of the first respondent and quash the same as against the petitioner.



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For Petitioner : M/s.Vakeeswaran C,
For R1 : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

ORDER

This criminal original petition has been filed seeking to quash the FIR in Crime No. 640 of 2016, on the file of the first respondent police.

2.The learned Counsel appearing for the petitioners submitted that based on the complaint lodged by the defacto complainant, an FIR in Crime No.640 of 2016, for the offences under Sections 147, 294(b), 427, 323, 342 and 506(1) IPC. All the offences are punishable within three years imprisonment. Since the final report has not been filed within a period of two years, it is statutorily barred by limitation. Therefore, the criminal proceedings in Crime No. 640 of 2016 has to be quashed.

3.The learned Government Advocate (Crl.Side) submitted that in this case, investigation had been completed and the respondent police also filed the final report before the concerned Magistrate Court. But, the same was not taken on file.



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4.I have considered the submissions made by both the parties.

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5.On a perusal of records, it is seen that the case was registered in the year 2016, now we are in 2022. However, the final report was filed, so far the same was not taken on file. In view of Section 468 of Cr.P.C., final report has to be file and the same should be taken cognizance within a period of three years. Hence, it is barred by limitation. Therefore, the criminal proceedings in Crime No.640 of 2016, is quashed as barred by limitation.

6.Accordingly, this criminal original petition stands allowed. Consequently, connected miscellaneous petition is closed.

01.08.2022

Internet:Yes
Index:Yes/No
Speaking/Non speaking order
lr



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V.SIVAGNANAM, J.

lr

To

1.The Inspector of Police,
Thideer Nagar Police Station,
Madurai.

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

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