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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.08.2022

CORAM:

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

Crl.O.P.(MD) No.15127 of 2022

V.Kajini Raj,

: Petitioner

Vs

1. State through
The Inspector of Police,
Thirupullani Police Station,
Ramanathapuram District
(Crime No. 79 of 2017).

2. R Palaniselvam,

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to call for the entire records connected with the case in Crime No. 79 of 2017 pending on the file of the first respondent police and quash the same so far as the petitioner is concerned.

For Petitioner : Mr.Malaikani.S,
For R1 : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

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ORDER

This criminal original petition has been filed seeking to quash the FIR in Crime No. 79 of 2017, pending on the file of the first respondent police.

2.The learned Counsel appearing for the petitioner submitted that based on the complaint lodged by the defacto complainant, the respondent police registered an FIR in Crime No. 79 of 2017, for the offences under Sections 147, 148, 341, 294(b), 323, 324, 427 and 506(1) IPC. All the offences are punishable below three years of imprisonment. But, till now no final report has been filed. Hence it is barred by limitation and pleaded to quash the FIR.

3.The learned Government Advocate (Crl.Side) admitted that in this case, final report has not been filed before the concerned Magistrate Court.

4.I have considered the matter in the light of the submission made by the learned Counsels appearing for the parties.

5.In view of Section 468 Cr.P.C., this Court is of the opinion that after a lapse of three years, it is barred by limitation for further criminal proceedings

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against the petitioner.

6.Therefore, the criminal proceedings in Crime No.79/2017, is hereby quashed. Accordingly, this criminal original petition is allowed.

24.08.2022

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

To

1.The Inspector of Police,
Thirupullani Police Station,
Ramanathapuram District

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

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V.SIVAGNANAM, J.

lr

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