



CrI.O.P.(MD) No.14993 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.08.2022

CORAM:

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

CrI.O.P.(MD) No.14993 of 2022

and

CrI.M.P(MD) No. 9777 of 2022

Amuthan,

: Petitioner

Vs

1. State represented by
The Special Sub Inspector Of Police,
Sellur, Madurai City.
(In Crime No.664/2018).

2. M.Marichamy,
The Special Sub Inspector of Police,
Sellur, Madurai City.

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to call for the records pertaining the FIR in Crime No.664/2018 dated 11/05/2018 for Under Section 75 of Tamil Nadu City Police Act, 1988 on the file of the first respondent and quash as illegal.



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

ORDER

This criminal original petition has been filed seeking to quash the FIR in Crime No.664/2018, on the file of the first respondent.

2.The learned Counsel appearing for the petitioner submitted that the respondent police registered a case against the petitioner for the offence punishable under Section 75 of the Chennai City Police Act, which is punishable not exceeding six months or fine not exceeding Rs.1,000/-. The limitation prescribed for prosecuting the accused person under the said Act is six months and no prosecution shall be initiated after the expiry of three months from the date on which the complaint was lodged. But so far final report has not been filed. Being barred by limitation, the proceedings in Crime No.664/2018 is liable to be quashed and pleaded to quash the same.

3.The learned Government Advocate (Crl.Side) admitted that so far final report has not been filed in this regard.



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

5.On a perusal of records, it is seen that the complaint was lodged on 11.05.2018, but so far final report has not filed.

6.In view of the above, this Court is of the opinion that it is being barred by limitation, the proceedings in Crime No.664/2018 is liable to be quashed. Hence, the proceedings in Crime No.664/2018 is quashed. Accordingly, this criminal original petition stands allowed. Consequently, connected miscellaneous petition is closed.

23.08.2022

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

To

1.The Special Sub Inspector Of Police,
Sellur, Madurai City.

2. The Special Sub Inspector of Police,
Sellur, Madurai City.

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



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V.SIVAGNANAM, J.

lr

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