

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.08.2022

CORAM:

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

Crl.O.P.(MD) No.15353 of 2022

and

Crl.M.P(MD) No. 10079 of 2022

Viknesh,

: Petitioner

Vs

1. The Inspector of Police,
Thanjavur Town East Police Station,
Thanjavur District.
Crime No. 261/2017.

2. Mathiyazhagan,

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to call for the records in connection with the Criminal original petition to quash the FIR Crime No. 261 of 2017, on the file of the first respondent and quash the same.

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

ORDER

This criminal original petition has been filed seeking to quash the FIR Crime No. 261 of 2017, on the file of the first respondent.

2.The learned Counsel appearing for the petitioner submitted that a case in Crime No.261 of 2017 had been registered against the petitioner for the offences punishable under Sections 294(b), 323 and 506(1) IPC. But as on date, no final report has been filed. All the offences are punishable below three years. Hence it is barred by limitation and pleaded to quash the proceedings.

3.The learned Government Advocate (Crl.Side) submitted that in this case, after investigation, final report has been filed before the concerned Judicial Magistrate Court, but so far the same was not taken on file.

4.The learned Counsel appearing for the petitioner objected that he filed a copy application seeking a copy of the charge sheet. But the same was

returned as 'charge sheet not yet filed'.

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

6.In view of Section 468 Cr.P.C., the proceedings in Crime No. 261/2017 is statutorily barred by limitation. Therefore, the proceedings in Crime No.261 of 2017 is hereby quashed. Accordingly, this criminal original petition stands allowed. Consequently, connected miscellaneous petition is closed.

26.08.2022

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

To

1. The Inspector of Police,
Thanjavur Town East Police Station,
Thanjavur District.

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

V.SIVAGNANAM, J.

lr

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