



CrI.O.P.(MD) No.15596 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 15.09.2022

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THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.15596 of 2022

and

CrI.M.P(MD) Nos.10240 and 10241 of 2022

1. Arumugam
2. Sethupathi

...Petitioners

VS

1. The Inspector of Police
Kamuthi Police Station
Ramanthapuram District
2. Vengadesan
SST-B, AC212 Muthukulathur Assembly ASCO
Agricultural Engineering Department
Paramakudi, Ramanathapuram District

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records relating to the impugned charge sheet in STC No.375 of 2022 on the file of the learned District Munsif cum Judicial Magistrate, Kamuthi and quash the same.

For Petitioner : Mr.V.Sasikumar
For R1 :Mr.T.Nambi Selvan
Additional Public Prosecutor



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ORDER

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This Criminal Original Petition has been filed to quash the charge sheet in STC No.375 of 2022 on the file of the learned District Munsif cum Judicial Magistrate, Kamuthi.

2. The learned Counsel appearing for the Petitioner, though raised several grounds, mainly canvassed that the proceedings in STC No.375 of 2022 the file of the learned District Munsif cum Judicial Magistrate, Kamuthi are liable to be quashed on the ground of limitation. According to the learned Counsel for the Petitioner, the case in crime No.174 of 2016 was registered as early as on 14.05.2016. However, the charge sheet has not been filed within the statutory period of one year and it has been filed only on 14.11.2019.

3. This Court in order to verify the aforesaid fact by order dated 05.09.2022 had called for a report from the learned District Munsif cum Judicial Magistrate, Kamuthi. As per the remarks of the learned District Munsif cum Judicial Magistrate dated 14.09.2022, it is clearly stated that the charge sheet in STC No. 375 of 2022 had been filed for the



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offences under Sections 188 and 171(E) on 14.11.2019 beyond the statutory period of one year. On this sole ground, the proceedings in STC No.375 of 2022 are liable to be quashed.

4. Accordingly the Criminal Original Petition stands allowed and as a sequel the proceedings in STC No.375 of 2022 on the file of the learned District Munsif cum Judicial Magistrate, Kamuthi is hereby quashed. Consequently connected miscellaneous petitions are closed.

15.09.2022

Internet: Yes./No

Index: Yes/no

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To

1. The District Munsif cum Judicial Magistrate, Kamuthi
2. The Inspector of Police
Kamuthi Police Station
Ramanthapuram District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

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