



Crl.O.P.(MD) No.16585 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 16.11.2022

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.16585 of 2022

and

Crl.M.P(MD) No.11071 of 2022

V.Madhavan

...Petitioner

-VS-

**1. The Inspector of Police
Alanganallur Police Station
Madurai District.**

2.J.Saravanakumar

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records relating to the First Information Report in Crime No. 160 of 2016 on the file of the first Respondent police dated 03.04.2016 and quash the same..

**For Petitioner
For R-1**

**: Mr.G.Mohankumar
: Mr.R.Suresh Kumar
Government Advocate(Crl.Side)**



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ORDER

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This Criminal Original Petition had been filed to quash the First Information Report in Crime No. 160 of 2016 on the file of the first Respondent police

2. The learned Government Advocate(Crl.Side) would submit that the First Information Report was registered in Crime No.160 of 2016 for the alleged offence that took place in the year 2016. He would further submit that the charge sheet had not been filed before the Court concerned till date.

3. Admittedly, the case was registered in Cr.No.160 of 2016 for the offences under Sections 448,294(b),323 and 506(i) of IPC on 03.04.2019. As per Section 468 of Cr.P.C., final report has to be filed within three years. The prosecution failed to file the final report. Under these circumstances, the Petitioner had filed this petition to quash the FIR. Therefore, for the failure of the Prosecution to complete the investigation within a period of one year, the offence against the Petitioner is hit by Section 468 Cr.P.C. Therefore, the final report cannot be filed after the period of Limitation as



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per Section 468 of Cr.P.C. The First Information Report is liable to be quashed.

4. Accordingly, the F.I.R, in Crime No.160 of 2016, on the file of the first respondent, is hereby quashed and the Criminal Original Petition is allowed. Consequently, connected miscellaneous petition is closed.

16.11.2022

Internet: Yes./No

Index: Yes/no

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To

1. The Inspector of Police
Alanganallur Police Station
Madurai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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SATHI KUMAR SUKUMARA KURUP, J.

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