



Crl.O.P.(MD) No.18069 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 16.11.2022

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.18069 of 2022

and

Crl.M.P(MD) No.12057 of 2022

Packiyaraj

...Petitioner

-VS-

1. The Inspector of Police
Woraiyur Police Station
Trichy District

2. S.Soniyagandhi
Sub Inspector of Police
Woraiyur Police Station
Trichy District

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records relating tot he First Information report in Crime No.461 of 2021 dated 01.07.2021 on the file of the first Respondent and quash the same as against the Petitioner.



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For Petitioner : Mr.M.Subash Babu
For Respondents : Mr.B.Nambi Selvan
Additional Public Prosecutor

ORDER

This Criminal Original Petition had been filed to quash the First Information Report in Crime No.461 of 2021 on the file of the first Respondent police

2. The learned Additional Public Prosecutor would submit that the First Information Report was registered in Crime No.461 of 2021 for the alleged offence that took place in the year 2021. 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 Crime No.461 of 2021 for the offences under Section 4(1)(a) of TNP Act on 01.07.2021. As per Section 468 of Cr.P.C., final report has to be filed within one year. 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



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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 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.461 of 2021, 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
Woraiyur Police Station
Trichy 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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