



Crl.O.P.(MD) No.18331 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.18331 of 2022

and

Crl.M.P(MD) No.12254 of 2022

M.Raja

...Petitioner

-VS-

1. The Inspector of Police
Mudukulathur Police Station
Ramanathapuram District

2. S.Ramar
The Sub Inspector of Police
Mudukulathur Police Station
Ramanathapuram District

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the entire records in relating to the impugned First Information Report in Crime No.597 of 2020 on the file of the Respondent police and to quash the same in so far as the Petitioner is concerned.

For Petitioner : Mr.M.S.Jeyakarthik
For Respondents : Mr.R.Sivakumar
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.597 of 2020 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.597 of 2020 for the alleged offence that took place in the year 2020. 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.597 of 2020 for the offences under Sections 143,294,341,269 of IPC on 20.11.2020. 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 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.597 of 2020, 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
Mudukulathur Police Station
Ramanathapuram 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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