



CrI.O.P.(MD) No.18215 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 16.11.2022

CORAM:

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CrI.O.P.(MD) No.18215 of 2022

and

CrI.M.P(MD) No.12141 of 2022

Kishore @ Kishore Nath
S/o.Muthukrishnani

... Petitioner

Vs.

1.The Inspector of Police,
Thirumangalam Town Police Station,
Madurai District.

2.M.Jothi @Jothieswaran
S/o.T.Moorthy

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the entire records pertaining to the FIR in Crime No. 550 of 2015 on the file of the Respondent police and quash the same insofar as concern the petitioner/Accused No.1.

For Petitioner : Mr.S.Prabhu

For R-1 : Mr.B.Nambiselvan
Additional Public Prosecutor



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ORDER

This Criminal Original Petition had been filed to quash the First Information Report in Crime No.550 of 2015 on the file of the first Respondent police

2. The learned Additional Public Prosecutor appearing for the first Respondent would submit that the First Information Report was registered in Crime No.550 of 2015 for the alleged offence that took place in the year 2015. 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.550 of 2015 for the offences under Sections 341, 323 and 324 of IPC on 14.11.2015. 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 three years, the offence against the Petitioner is hit by Section 468



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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.550 of 2015, 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
cp

To

1. The Inspector of Police,
Thirumangalam Town 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.

cp

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