



CrI.O.P.(MD)No.19557 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated: 24.11.2022

CORAM:

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CrI.O.P.(MD)No.19557 of 2022

and

CrI.M.P(MD)No.13363 of 2022

T.Ambikapathy

... Petitioner

Vs.

1.The State represented by
The Inspector of Police,
Velayuthampalayam Police Station,
Karur District.
(In Crime No.227 of 2021)

2.M.Arulselvam

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C.
praying to call for records pertaining to the case in Crime No.227 of 2021
on the file of the first Respondent Police and quash the same insofar as
the Petitioner concerned.

For Petitioner	: Mr.N.Balasubramanian
For R1	: Mr.T.Senthilkumar
	Additional Public Prosecutor



Crl.O.P.(MD)No.19557 of 2022

ORDER

WEB COPY

This Petition had been filed to quash the First Information Report in Crime No.227 of 2021 on the file of the first Respondent Police.

2.The learned Additional Public Prosecutor submitted that the First Information Report was registered in Crime No.227 of 2021 for the alleged offence that took place on 15.05.2021. He further submitted that the charge sheet had not been filed before the Court concerned till date.

3.Admittedly, the case was registered in Crime No.227 of 2021 for the offences under Sections 143, 269 of IPC r/w Section 3 of Epidemic Diseases Act, 1897 on 15.05.2021. 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 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



Crl.O.P.(MD)No.19557 of 2022

Cr.P.C. The First Information Report is liable to be quashed.

WEB COPY

4. Accordingly, the F.I.R. in Crime No.227 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.

24.11.2022

Index: Yes/No
vsd

To

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



WEB COPY



Crl.O.P.(MD)No.19557 of 2022

SATHI KUMAR SUKUMARA KURUP, J.

vsd

Crl.O.P.(MD)No.19557 of 2022
and
Crl.M.P(MD)No.13363 of 2022

24.11.2022