



Crl.O.P.(MD) No.19915 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 24.11.2022

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.19915 of 2022

and

Crl.M.P(MD) No.13705 of 2022

1. Rajeswari
2. Ranjithkumar

...Petitioners

-VS-

1. The Inspector of Police
Thiruvidaimaruthur Police Station,
Thanjavur District
2. Adhikesavan
Sub Inspector of Police
Thiruvidaimaruthur Police Station,
Thanjavur District

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records pertaining to the First Information Report in Crime No.180 of 2017 on the file of the first Respondent Police and quash the same so far as this Petitioners/A1 and A3 concerned.



Crl.O.P.(MD) No.19915 of 2022

For Petitioners : Mr.J.Vishnu
For R-1 : Mr.R.Sivakumar
Government Advocate(Crl.Side)

ORDER

This Criminal Original Petition had been filed to quash the First Information Report in Crime No.180 of 2017 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.180 of 2017 for the alleged offence that took place in the year 2017. 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.180 of 2017 for the offences under Section 160 of IPC on 22.07.2014. As per Section 468 of Cr.P.C., final report has to be filed within one month. The prosecution failed to file the final report. Under these circumstances, the Petitioners had filed this petition to quash the FIR. Therefore, for the failure of the Prosecution to complete the investigation within a period of one month, the offence



CrI.O.P.(MD) No.19915 of 2022

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against the Petitioners 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.180 of 2017, 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

Internet: Yes./No
Index: Yes/no
aav

To

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

3/4



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Crl.O.P.(MD) No.19915 of 2022

SATHI KUMAR SUKUMARA KURUP, J.

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CRL.O.P (MD) No.19915 of 2022

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