



Crl.O.P.(MD) No.19916 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

CRL.O.P (MD) No.19916 of 2022

and

Crl.M.P(MD) No.13706 of 2022

1. Rajaram
2. Prakash
3. Mayazhagu
4. Parimala

...Petitioners

-VS-

1. The Inspector of Police
Paramakudi Taluk Police Station,
Ramanathapuram District
2. Rajiv Gandhi
Constable,
Paramakudi Taluk Police Station,
Ramanathapuram District

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records relating to the First Information Report in Crime No.210 of 2022 dated 01.10.202 on the file of the first Respondent Police and quash the same as against the Petitioners/Accused No.2 to 5 is concerned

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For Petitioners : Mr.M.Subash Babu
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.210 of 2022 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.210 of 2022 for the alleged offence that took place in the year 2022. 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.210 of 2022 for the offences under Sections 294(b) and 160 of IPC on 01.10.2022. As per Section 468 of Cr.P.C., final report has to be filed within three months. The prosecution failed to file the final report. Under these circumstances, the Petitioners had filed this petition to quash the FIR. Therefore, for the



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failure of the Prosecution to complete the investigation within a period of three months, the offence 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.210 of 2022, 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

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To

1. The Inspector of Police
Paramakudi Taluk 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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