



Crl.O.P.(MD) No.18805 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.18805 of 2022

and

Crl.M.P(MD) No.12662 of 2022

Periyakaruppu

...Petitioner/A15

-VS-

1.State Rep. its
The Inspector of Police
Keelavalavu Police Station,
Keelavalavu,
Madurai District.
Crime No.50 of 2021.

2.C.Balamurugan

...Respondent/Complainant

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.50 of 2021 on the file of the Respondent Police and quash the same as illegal as against the Petitioner/A15.



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For Petitioner : Mr.T.Vadivelan
For R1 : Mr.R.Sivakumar
Government Advocate (Crl. side)

ORDER

This Criminal Original Petition had been filed to quash the First Information Report in Crime No. 50 of 2021 on the file of the first Respondent Police.

2. The learned Government Advocate (Crl. side) submits that the First Information Report was registered in Crime No.50 of 2021 for the alleged offence that took place in the year 2021. 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.50 of 2021 for the offences under Sections 143, 341 and 290 IPC on 16.02.2021. 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



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

4. Accordingly, the F.I.R, in Crime No.50 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.

16.11.2022

Internet: Yes./No

Index: Yes/no

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To

1. The Inspector of Police
Keelavalavu Police Station,
Keelavalavu,
Madurai 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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