



Crl.O.P.(MD) No.19651 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.19651 of 2022

and

Crl.M.P(MD) No.13447 of 2022

A.Pasupathy

...Petitioner

-VS-

1. The Inspector of Police
Thiruverumbur Police Station,
Trichy

2. Ramakrishnan

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records pertaining to the Crime No.428 of 2018 dated 01.12.2018 on the file of the first Respondent and quash the same as illegal as against the Petitioner alone.

For Petitioner	: Mr.S.Rajasekar
For Respondents	: Mr.B.Nambi Selvan Additional Public Prosecutor



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ORDER

This Criminal Original Petition had been filed to quash the First Information Report in Crime No.428 of 2018 on the file of the first Respondent police

2. The learned Additional Public Prosecutor would submit that the First Information Report was registered in Crime No.428 of 2018 for the alleged offence that took place in the year 2018. 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.428 of 2018 for the offences under Sections 141,143,341,352 and 448 of IPC on 01.12.2018. 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



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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.428 of 2018, 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
Thiruverumbur Police Station,
Trichy
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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