



Crl.O.P.(MD)No.22114 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 15.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P.(MD) No.22114 of 2022
and Crl.M.P.(MD).No.15590 of 2022

Velmurugan

... Petitioner

Vs.

1.The Inspector of Police,
Mandapam Police Station,
Ramanathapuram District,
(Crime No.143/2018)

... 1st Respondent/Complainant

2.Thillai Prabakaran

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to pass an order of quash to call for the entire records in relating to the impugned FIR in Cr.No.143/2018 on the file of the respondent police and to quash the same in so far as the petitioner is concerned.

For Petitioner : Mr.M.S.Jeyakarthik

For Respondents : Mr.M.Muthumanikkam
Government Advocate (Crl. Side)

ORDER

This petition is filed to quash the FIR in Cr.No. 143/2018 on the file of the first respondent.



Crl.O.P.(MD)No.22114 of 2022

2.The learned counsel for the petitioner submitted that the FIR has been registered against the petitioner for the offences punishable under Section 379 of IPC on the basis of the complaint lodged by the second respondent in the year 2018, so far no final report has been filed till date.

3.The learned Government Advocate (Crl. Side) submitted that property was recovered from the accused persons, but, so far final report has not been filed before the concerned Court.

4.This Court is of the view that since even after a lapse of four years, the final report has not been filed before the Concerned Court, it is barred by limitation under Section 468 of Cr.P.C as the final report ought to have been filed within a period of three years from the date of occurrence. Therefore, this Court is inclined to allow this petition.

5.This criminal original petition is allowed and the FIR in Crime No.143/2018 on the file of the respondent police is hereby quashed. Consequently, connected miscellaneous petition is closed.

Index : Yes/No
Internet : Yes/No
TM

15.12.2022



Crl.O.P.(MD)No.22114 of 2022

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Inspector of Police,
Mandapam Police Station,
Ramanathapuram District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.22114 of 2022

G.ILANGOVAN. J.

TM

Crl.O.P.(MD)No.22114 of 2022

15.12.2022