



CrI.O.P.(MD) No.21775 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.12.2022

CORAM:

THE HONOURABLE MR. JUSTICE K.MURALI SHANKAR

CrI.O.P.(MD) No.21775 of 2022

1. Sanjay,

2. Alagarsamy,

: Petitioners

Vs

State represented by

1. The Inspector of Police,
Keelavalavu Police Station,
Madurai District.
Cr.No.50/2021.

2. Balamurugan,
Sub Inspector of Police,
Keelavalavu Police Station,
Madurai District.

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to call for the records relating to the proceedings of FIR in Crime No.50 of 2021, on the file of the first respondent police and quash the same as against the petitioners/A29 and A30 herein.



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For Petitioners : Mr.A.V.Arun
For R1 : Mr.M.Muthu Manikkam
Government Advocate (CrI.Side)

ORDER

This criminal original petition has been filed seeking to quash the FIR in Crime No.50 of 2021, on the file of the first respondent police.

2.The learned Government Advocate (CrI.Side) appearing for the first respondent would submit that the FIR in Crime No.50 of 2021, on the file of the first respondent had already been quashed by this Court in CrI.O.P(MD)No.18805 of 2022, dated 16.11.2022. It is necessary to refer the following passage in the said order.

"Admittedly, the case was registered in Crime 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 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 year, 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."



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3.The above finding is squarely applicable to the case on hand. Hence the impugned FIR is liable to be quashed. Therefore, the FIR in Crime No.50 of 2021, is hereby quashed and this criminal original petition is allowed.

09.12.2022

Internet: Yes
Index: Yes/No
Speaking/Non speaking order
lr

To

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

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J.

lr

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