



Crl.O.P.(MD)No.22096 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.22096 of 2022
and Crl.M.P.(MD).No.15568 of 2022

Karthick

... Petitioner

Vs.

1.The State Rep. by
The Inspector of Police,
Sattankulam Police Station,
Thoothukudi District.
(Crime No.134 of 2021)

... 1st Respondent/Complainant

2.Vijayakumar

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records in Cr.No.134/2021 pending investigation on the file of the R1 police and quash the same as against the petitioner.

For Petitioner : Mr.R.Pon Karthikeyan

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

ORDER

This petition is filed to quash the FIR in Cr.No.134/2021 on the file of the first respondent.



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2.The learned counsel for the petitioner submitted that the FIR has been registered against the petitioner for the offences punishable under Section 4(1) of TN Open Places (Prevention of Disfigurement) Act, 1959 on the basis of the complaint lodged by the second respondent in the year 2021, so far no final report has been filed till date.

3.The learned Government Advocate (Crl. Side) submitted that so far final report has not been filed before the concerned Court.

4.Considering the nature of offence made out against the petitioner, this Court is of the view that since even after a lapse of 1 ½ years, the final report has not been filed before the Concerned Court, it is barred by limitation under Section 468 of Cr.P.C . Therefore, this Court is inclined to allow this petition.

5.This criminal original petition is allowed and the FIR in Crime No.134 of 2021 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



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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,
Sattankulam Police Station,
Thoothukudi District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

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