



Crl.O.P.(MD)No.22815 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 22.12.2022

CORAM:

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

Crl.O.P.(MD) No.22815 of 2022
and Crl.M.P.(MD).No.16147 of 2022

Murugapandi

... Petitioner

Vs.

1.The Sub – Inspector of Police,
Bodinayakanur Town Police Station,
Bodinayakanur,
Theni District.

... 1st Respondent/Complainant

2.Kumaran

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records in FIR in Crime No.120 of 2021 on the file of the Sub-Inspector of Police, Bodinayakanur Town Police Station, Bodinayakanur, Theni District and quash the same.

For Petitioner : Mr.M.Kaliraj

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



ORDER

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This petition is filed to quash the FIR in Cr.No.120 of 2021 on the file of the first respondent.

2.The learned counsel for the petitioners submitted that based on the complaint given by the 2nd respondent the case has been registered by the first respondent in Cr.No.120 of 2021 for the offence punishable under Section 4A (1-a) of the Tamil Nadu Open Places (Prevention of Disfigurement) Act, 1959. But so far investigation has not been completed and no final report has been filed before the concerned Court.

3.When the matter is taken up for hearing, the learned Government Advocate (Crl. Side) submitted that 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 1 year, the final report has not been filed before the Concerned Court, cognizance is barred by limitation under Section 468 of Cr.P.C. Therefore, this Court is inclined to allow this petition.



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4.This criminal original petition is allowed and the FIR in Crime No.120 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

22.12.2022

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 Sub – Inspector of Police,
Bodinayakanur Town Police Station,
Bodinayakanur,
Theni District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN. J.

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