



WEB COPY



CrI.O.P.No.15612 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.07.2023

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.15612 of 2023

and

CrI.M.P.No.9709 of 2023

M.Siddharth
S/o.Manimaran

... Petitioner

-Vs-

1.The State of Tamil Nadu
represented by
The Sub-Inspector of Police,
Villupuram Taluk Police Station,
Villupuram District.
Crime No.654 of 2019

2.Selvam
S/o.Chinnakannu

...Respondent

Prayer: Criminal Original petition filed under Section 482 of Cr.P.C.,
praying to call for the records relating to Crime No.654 of 2019 on the
file of the respondent police and quash the same.

For Petitioner : Ms.J.Priscilla Pandian

For Respondents : Mr.A.Damodaran,
Additional Public Prosecutor [R1]

ORDER



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This Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.654 of 2019 pending investigation on the file of first respondent.

2. The case of the prosecution is that the relatives of the second respondent was travelling in a two-wheeler on 30.07.2019 and at that point of time, the accused person had driven the Car in a rash and negligent manner and dashed on the back of the two-wheeler and as a result, the victim was badly injured. Based on this complaint given by the second respondent, a case came to be registered by the first respondent in Crime No.654 of 2019 for offences u/s.279 and 337 IPC.

3. Heard learned counsel for petitioner and learned Additional Public Prosecutor appearing for first respondent.

4. This petition has been filed to quash the case in Crime No.654 of 2019 mainly on the ground that even if a final report is filed at this point of time, the same cannot be taken cognizance in view of the bar u/s.468 Cr.P.C.

5. Learned Additional Public Prosecutor, on instructions,



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submitted that investigation is pending and till date, no final report has been filed.

6. The offences u/s.279 and 337 IPC are punishable with a maximum imprisonment of six months. As per Section 468 Cr.P.C., the final report ought to have been filed within one year and beyond that, cognizance cannot be taken. It is now nearly four years since the case was registered and even the investigation has not been completed. In view of the same, the pendency of the case will only result in abuse of process of law, which requires the interference of this Court u/s.482 Cr.P.C.

In the light of the above discussion, this Criminal Original petition is allowed and the proceedings in Crime No.654 of 2019 on the file of first respondent, is quashed. Consequently, connected miscellaneous petition is closed.

13.07.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
gm

N.ANAND VENKATESH, J.



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gm

To

1.The Sub-Inspector of Police,
Villupuram Taluk Police Station,
Villupuram District.
Crime No.654 of 2019

2.The Public Prosecutor,
Madras High Court.

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