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CrI.O.P.No.18978 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.18978 of 2023

and

CrI.M.P.No.12691 of 2023

Kuberselvam

...Petitioners

vs.

State of Tamilnadu,
rep by the Sub Inspector of Police,
Naduveerapattu Police Station,
Naduveerapattu, Cuddalore

...Respondents

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for records pertaining to the FIR in Crime No.60 of 2021 on the file of the respondent and quash the same.

For Petitioners : Mr.Y.Kanishar Rao

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor



CrI.O.P.No.18978 of 2023

ORDER

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This criminal original petition has been filed challenging the FIR in Crime No.60 of 2021 pending on the file of the first respondent

2. Heard the learned counsel for the petitioner and the respondent and also perused the materials available on record.

3. The FIR was registered for offence under Section 4(1) of the TamilNadu Open Places (Prevention of Disfigurement) Act, on 31.03.2021. The learned Additional Public Prosecutor submitted that till date, the final report has not been filed.

4. The offence under Section 4(1) of the TamilNadu Open Places (Prevention of Disfigurement) Act is punishable with maximum imprisonment of 3 months. In view of the same, since the final report has not been filed before the concerned Court for more than two and half years, there is a bar in taking cognizance of the final report at this stage under Section 468(2)(b) of CrPC.



CrI.O.P.No.18978 of 2023

5. In light of the above discussion, the FIR in Crime No.60 of 2021 is quashed. Accordingly, this criminal original petition is allowed. Consequently, the connected miscellaneous petition is also closed.

23.08.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
nsa

To

1.The Sub Inspector of Police,
Naduveerapattu Police Station,
Naduveerapattu, Cuddalore

2.The Public Prosecutor,
Madras High Court,
Chennai 600 104..



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Crl.O.P.No.18978 of 2023

N. ANAND VENKATESH, J.

nsa

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