



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.18445 of 2023

Crl.M.P.No.12280 of 2023

Jayaram Venkatesan

.. Petitioner

Vs.

1.The Inspector of Police,
V-5, Thirumangalam Police Station,
3-4, School Rd, D-Sector,
Anna Nagar West Extension,
Chennai – 600 101.

2.Vishnuvarthan

..Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records of FIR Crime No.33 of 2019 on the file of Thirumangalam Police Station, Chennai, quash the same.

For Petitioner

: Ms.N.S.Tanvi

For Respondents

: Mr.A.Damodaran

Additional Public Prosecutor for R1



ORDER

This criminal original petition has been filed seeking to quash the FIR in Crime No.33 of 2019 pending on the file of the 1st respondent police.

2. Based on the complaint given by the 2nd respondent, an FIR came to be registered in Crime No.33 of 2019 against the petitioner and others belonging to Arapor Iyakkam for offence under Sections 448, 294(b) and 506(i) of IPC.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the 1st respondent.

4. The learned Additional Public Prosecutor submitted that no final report has been filed till date.

5. The offence under Section 448 of IPC is punishable with a maximum imprisonment of one year. The offence under Section 294(b) of IPC is punishable with a maximum imprisonment of three months and the offence under Section 506(i) of IPC is punishable with a maximum imprisonment of two years.



6. In view of the above, final report ought to have been filed within a period of three years as per Section 468(2) (c) of Cr.P.C., failing which, the final report cannot be taken cognizance by the jurisdictional Court. Since no final report has been filed till date and it is 4 ½ years since the FIR was registered, no useful purpose will be served in keeping the FIR pending. Even if a final report is filed, it cannot be taken cognizance in view of the bar under Section 468 of Cr.P.C.,

7. In the light of the above discussion, FIR in Crime No.33 of 2019 pending on the file of the 1st respondent police, is hereby quashed.

8. Accordingly, this criminal original petition stands allowed. Consequently, connected miscellaneous petition is closed.

16.08.2023

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



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N.ANAND VENKATESH, J

SSI

To

- 1.The Inspector of Police,
V-5, Thirumangalam Police Station,
3-4, School Rd, D-Sector,
Anna Nagar West Extension,
Chennai – 600 101.
- 2.The Public Prosecutor
High Court of Madras,
Madras.

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