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Crl.OP.No.18608 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.18608 of 2023

G.Sathish Kumar,
S/o.Gajendran

... Petitioner

Vs.

1.The Inspector of Police,
K7 ICF Police Station,
Gandhi Nagar Colony,
Konnur, Chennai – 600 038.

2.Muruganandam

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the entire records pertaining to the First Information Report in Crime No.1756 of 2015 dated 04.09.2015 on the file of first respondent police for the offences under Sections 294(b), 353, 332 and 506(i) IPC, 1860 and quash the same as illegal.

For Petitioner : Mr.S.Rajesh

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



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ORDER

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This Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.1756 of 2015 on the file of first respondent.

2. Heard Mr.S.Sivanandam, learned counsel for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for first respondent.

3. The First Information Report has been registered for offences u/s.294(b), 353, 332 and 506(i) IPC. Those offences are punishable in the following manner:

<i>Sl.No.</i>	<i>Alleged Offence u/s.</i>	<i>Punishment</i>
1.	294(b) IPC - Uttered obscene words	Imprisonment for three months or fine or with both.
2.	352 IPC - Punishment for assault on grave provocation	Imprisonment for three months or fine or fine of Rs.500 or with both.
3.	332 IPC - Voluntarily causing hurt to deter public servant from his duty	Imprisonment for three years or fine or with both.
4.	506(i) IPC - Punishment for criminal intimidation	Imprisonment for two years or fine or with both.



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4. Learned Additional Public Prosecutor, on instructions, submitted

that no final report has been filed till date.

5. The offences for which the First Information Report has been registered is punishable with a maximum imprisonment of three years and in which case, the final report must be filed within a period of three years as provided u/s.468(2)(c) Cr.P.C. It is nearly eight years since the First Information Report was registered and therefore, even if a final report is filed, it cannot be taken cognizance in view of the bar u/s.468 Cr.P.C. Therefore, no useful purpose will be served in keeping the investigation pending.

In the light of the above discussion, this Criminal Original Petition is allowed and the First Information Report in Crime No.1756 of 2015 on the file of first respondent is hereby quashed.

17.08.2023

Speaking Order/Non-speaking Order

Index :Yes/No

Neutral citation: Yes/No

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N.ANAND VENKATESH, J.

gm

To

1. The Inspector of Police,
K7 ICF Police Station,
Gandhi Nagar Colony,
Konnur, Chennai – 600 038.
2. The Public Prosecutor,
Madras High Court.

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