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Criminal Original Petition No.19001 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 29.08.2023**

**CORAM**

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

**Criminal Original Petition No.19001 of 2023**

**and**

**CrI.M.P.No.12725 of 2023**

Vimal

S/o.Elumalai

...Petitioner

**Vs**

1.The State represented by  
Inspector of Police,  
Mecheri Police Station,  
Salem District.

2.Logu @ Loganathan  
S/o.Subramanian

... Respondents

**PRAYER** : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, praying to call for the records relating to the First Information Report in Crime No.812 of 2015 on the file of Inspector of Police, Mecheri Police Station, Salem District and to quash the same.

For Petitioner : Mr.C.Prabakaran

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

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**ORDER**



This Criminal Original Petition has been filed to quash the First Information Report in Crime No.812 of 2015 pending on the file of the first respondent.

2. The case of the prosecution is that on 10.11.2015 at about 05.30 p.m., the petitioner along with others were involved in a verbal quarrel with a neighbour and this was questioned by the second respondent/*de facto* complainant. Hence, the second respondent/*de facto* complainant was assaulted with a wooden log and with hands and he was threatened and abused in filthy language. Based on the complaint given by the second respondent/*de facto* complainant, a First Information Report came to be registered in Crime No.812 of 2015 for offences u/s.294(b), 323, 324 and 506(ii) IPC on 11.11.2015.

3. When the matter came up for hearing on 22.08.2023, this Court took into account the fact that the First Information Report has been pending for more than eight years and directed the learned Additional Public Prosecutor to take instructions. Accordingly, the matter was posted for hearing today.

4. Learned Additional Public Prosecutor submitted that no final report



Criminal Original Petition No.19001 of 2023

has been filed till date.

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5. This Court carefully went through the allegations made in the First Information Report. The allegations if taken as it is constitute offences u/s.294(b), 323, 324 and 506(i) IPC. Even if a final report is filed now, there will be a bar in taking cognizance of the final report by virtue of Section 468(2)(c) Cr.P.C. since the final report ought to have been filed within a period of three years. Hence, no useful purpose will be served in keeping the First Information Report pending at this length of time.

In the light of above discussion, this Criminal Original Petition is allowed and the First Information Report in Crime No.812 of 2015 pending on the file of the first respondent is hereby quashed. Consequently, connected miscellaneous petition is closed.

**29.08.2023**

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

**N.ANAND VENKATESH, J**



Criminal Original Petition No.19001 of 2023

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To

1.The Inspector of Police,  
Mecheri Police Station,  
Salem District.

2.The Public Prosecutor,  
High Court, Madras.

**Criminal Original Petition No.19001 of 2023**

**29.08.2023**