



Crl.O.P.No.23495 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.12.2023

CORAM

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

Crl.O.P.No.23495 of 2022
and Crl.M.P.No.14999 of 2022

1.Panchatcharam
2.Prakash
3.Jakadesan
4.Manikandan
5.Umapathi
6.Aravind
7.Gunasekaran

... Petitioners

Vs

The State rep by
The Inspector of Police,
E10, Kayar Police Station,
Chengalpattu District

... Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records of the FIR in Crime No.119 of 2022 on the file of the respondent Police dated 07.06.2022 and quash the same.

For Petitioner : Mr.S.P.Sudalaiyandi

For Respondents : Mr.A.Gopinath
Government Advocate (Crl. Side)



CrI.O.P.No.23495 of 2022

ORDER

This Criminal Original Petition has been filed to call for the records of the FIR in Crime No.119 of 2022 on the file of the respondent Police dated 07.06.2022 and quash the same.

2.Heard the learned counsel for the petitioners as well as the learned Government Advocate for the first respondent.

3.The order of the learned District Munsif cum Judicial Magistrate, Thiruporur, is extracted hereunder:

“On perusal the maximum punishment provided for above alleged offence is upto three months imprisonment. As such there is a bar to take cognizance of above offence under Section 468 of Cr.P.C., after one year. As this final report is filed after lapse of one year and there is no explanation submitted by Investigation Officer under Section 473 of Cr.P.C, this case is closed as barred under Section 468 of Cr.P.C.”



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4.On perusal of the order of the learned District Munsif cum Judicial Magistrate, it is seen that the final report has been filed after a lapse of one year and there was no explanation submitted by the Investigating Officer under Section 473 of Cr.P.C.

5.Considering this aspect, the proceedings in Crime No.119 of 2022 on the file of the respondent, is quashed and this Criminal Original Petition is allowed. Consequently, connected Miscellaneous Petition is closed.

12.12.2023

Internet:Yes
Index:Yes/No
vkr

To

1. The Inspector of Police,
E10, Kayar Police Station,
Chengalpattu District
2. The Public Prosecutor,
High Court, Madras.

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VIVEK KUMAR SINGH.J.,

vkr

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