



Crl.O.P.(MD)No.794 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.04.2023**

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P(MD)No.794 of 2023
and Crl.M.P(MD).Nos.729 & 731 of 2023

Subramaniyan

... Petitioner/Sole Accused

Vs.

1.The State through,
The Inspector of Police,
Thandikudi Police Station,
Dindigul District.
(Crime No.30 of 2018)

... 1st Respondent/Complainant

2.Anand

...2nd Respondent / de-facto
Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in C.C.No.51 of 2022 pending on the file of the District Munsif cum Judicial Magistrate No.1, Kodaikanal, and quash the same.

For Petitioner : Mr.N.Tamilmani

For R1 : Mr.B.Nambiselvan
Additional Public Prosecutor



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ORDER

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This Criminal Original Petition has been filed seeking to call for the records in C.C.No.51 of 2022 pending on the file of the District Munsif cum Judicial Magistrate No.1, Kodaikanal, and quash the same.

2. The contention of the petitioner is that based on the complaint lodged by the 2nd respondent, the 1st respondent registered the First Information Report in Crime No.30 of 2018 for the offences punishable under Sections 279, 304(A) IPC against the petitioner. The grievance of the petitioner is that though the case was registered in the year 2018, the final report has been presented before the concerned Court only on 08.07.2022.

3.The learned Additional Public Prosecutor submitted that the final report has been presented before the concerned Court on 08.07.2022.

4.Considering the nature of offence made out against the petitioner, this Court is of the view that after a lapse of four years, the



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final report has been presented before the Concerned Court, it is barred by limitation under Section 468 of Cr.P.C . Therefore, this Court is inclined to allow this petition.

5.This criminal original petition is allowed and the case in C.C. No.51 of 2022 pending on the file of the District Munsif cum Judicial Magistrate No.1, Kodaikanal is hereby quashed. Consequently, connected miscellaneous petitions are closed.

05.04.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

Indu

To

- 1.The Inspector of Police,
Thandikudi Police Station,
Dindigul District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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G.ILANGO VAN,J.

Indu

Order made in
Crl.O.P.(MD)No.794 of 2023

Dated: 05.04.2023