



Crl.O.P.(MD).No.2241 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 08.03.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGOVAN

Crl.O.P.(MD).No.2241 of 2023

1.Abubakkar Sithik

2.Abdul Majeed

3.Abubakkar

... Petitioners/Accused No.1,5,7

Vs.

1.State Represented by,

Inspector of Police,

Ganesh Nagar Police Station,

Ganesh Nagar,

Pudukkottai District.

(Cr.No253 of 2019)

...Respondent No.1/Complainant

2.Gunasekaran,

Sub-Inspector of Police,

Ganesh Nagar Police Station,

Ganesh Nagar,

Pudukkottai District.

...Respondent No.2 /De-facto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the entire relevant records connected to the First Information Report in Crime No.253 of 2019, dated 15.11.2019 pending on the file of the 1st Respondent Police station and quash the same as illegal as against the petitioner.



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For Petitioners : Ms.Bazeerdeen.M
For R1 and R2 : Mr.S.Manikandan
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to call for the entire relevant records connected to the First Information Report in Crime No.253 of 2019, dated 15.11.2019 pending on the file of the 1st Respondent Police station and quash the same as illegal as against the petitioner.

2.The contention of the petitioners is that based on the complaint lodged by the 2nd respondent, the 1st respondent registered the First Information Report in Crime No.253 of 2019 for the offences punishable under Sections 143, 341, 283 of IPC against the petitioners. The grievance of the petitioners is that though the case was registered in the year 2019, so far no final report has been filed before the concerned Court.

3.The learned Government Advocate (Crl. Side) submitted that so far final report has not been filed before the concerned Court.

4.Considering the nature of offence alleged against the petitioner, this



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Court is of the view that since even after a lapse of 4 years, the final report has not been filed 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 FIR in Crime No.253 of 2019 on the file of the respondent police is hereby quashed.

08.03.2023

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

To

- 1.The Inspector of Police,
Ganesh Nagar Police Station,
Ganesh Nagar,
Pudukkottai District.
(Cr.No253 of 2019)
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVA,J.

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