



Crl.O.P.(MD) No.3433 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.10.2023

CORAM:

THE HONOURABLE MR. JUSTICE G.ILANGOVAN

Crl.O.P.(MD) No.3433 of 2023
and Crl.MP(MD)Nos.2615 and 3111 of 2023

1. Bazeer

2. M.B.Katharsha

3. Sahul

4. V.Kulandhaivelu

... Petitioners

Vs

1. The Inspector of Police,
Natham Police Station, Natahm,
Dindigul District. Crime No.341 of 2018.

2. Bashashayabu

.... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to call for the records in connection with the impugned Charge Sheet in CC.No.19 of 2022 so far as the petitioners are concerned pending on the file of the learned Judicial Magistrate,Natham,Dindigul District and quash the same.

For Petitioners : Mr.S.Sarvagan Prabhu
For Respondent : Mr.M.Vaikkam Karunanithi (R1)
Government Advocate (Crl)



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ORDER

This Criminal Original Petition had been filed seeking for a direction to quash the impugned Charge Sheet in CC.No.19 of 2022 so far as the Petitioners are concerned pending on the file of the learned Judicial Magistrate,Natham, Dindigul District.

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.341 of 2018 for the offences punishable under Sections 420, 465, 468, 120(b), 294, 323, 471 of IPC as against the petitioners. The grievance of the petitioners is that though the case was registered on 14.05.2018, final report has been filed before the concerned Court only on 20.04.2022, which is beyond the period of limitation.

3.The learned Government Advocate (Crl. Side) submitted that on 20.04.2022 final report has been filed before the learned Judicial Magistrate,Natham, Dindigul District and the same was taken cognizance in in CC.No.19 of 2022.



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4.Considering the nature of offence made out against the petitioners, in this case the FIR has been filed on 14.05.2018, after a lapse of 3 ½ years, the final report was filed before the Concerned Court, which 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.341 of 2018 on the file of the first respondent police and thereby, the impugned Charge Sheet in CC.No.19 of 2022 so far as the petitioners are concerned pending on the file of the learned Judicial Magistrate, Natham, Dindigul District is hereby quashed. Consequently, connected miscellaneous petitions are closed.

04.10.2023

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



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To

1. The Judicial Magistrate, Natham
2. The Inspector of Police,
Natham Police Station, Natahm,
Dindigul District. Crime No.341 of 2018.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN, J.

PNM

ORDER IN
Crl.O.P.(MD) No.3433 of 2023
and Crl.MP(MD)Nos.2615 and 3111 of 2023

04.10.2023