



Crl.O.P.(MD)No.3027 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **07.03.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

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- 1.Ammasi
- 2.Ramachandran
- 3.Selvam
- 4.Mari Muthu
- 5.Govindaraj
- 6.Ammasi
- 7.Saravanan
- 8.Murugan
- 9.Mohammed Ali Jinnah
- 10.Krishnan
- 11.Kumarandi
- 12.Jothi @ Jothi Bosu
- 13.Sundaram
- 14.Malaichamay
- 15.Saravanakumar
- 16.Sankarapandi
- 17.Muthiah

... Petitioners/Accused Nos.1 to 17

Vs.

- 1.State rep. by its
Sub-Inspector of Police,
Kariappati Police Station,
Virudhunagar District.
(Crime No.5 of 2018)

... 1st Respondent/Complainant



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2.Ramachandran

... 2nd Respondent/Defacto Complainant

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PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, call for the records in the case in S.T.C.No.653/2020 on the file of the Judicial Magistrate Court No.II, Virudhunagar and quash the same as illegal, violation of law and barred by limitation.

For petitioners : Mr.M.Jothi Basu
For R1 : Mr.B.Nambiselvan,
Addl. Public Prosecutor.

ORDER

This petition has been filed seeking to quash the charge sheet filed in S.T.C.No.653/2020 on the file of the Judicial Magistrate Court No.II, Virudhunagar.

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.5 of 2018 for the offences punishable under Sections 143, 188 against the petitioner. The grievance of the petitioner is that though the case was registered in the year 2018, the final report was filed only in the year 2020, after two years from the date of registration of the FIR and the same was taken cognizance by the trial



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Court in S.T.C.No.653 of 2020.

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4.Considering the nature of offence made out against the petitioner, this Court is of the view that since after a lapse of 2 ½ years, the final report has 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 charge sheet filed in S.T.C.No.653/2020 on the file of the Judicial Magistrate Court No.II, Virudhunagar, is hereby quashed in respect of these petitioners are concerned.

07.03.2023

Index : Yes/No
Internet : Yes/No
TM

To

- 1.The Judicial Magistrate Court No.II, Virudhunagar.
- 2.The Sub-Inspector of Police, Kariappati Police Station,
Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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