



CrI.O.P.(MD).No.6360 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.04.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

CrI.O.P.(MD).No.6360 of 2023
and CrI.M.P.(MD).No.5559 of 2023

Akash

... Petitioner/1st Accused

Vs.

1.The Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi District.
Crime No.602 of 2017. ... 1st Respondent/Complainant

2.Velayutham
Sub Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi District. ... 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records and quash the Crime No. 602 of 2017 on the file of the Inspector of Police, Thoothukudi South Police Station, Thoothukudi District against this petitioner/1st accused.

For Petitioner : Mr.S.Muthumalai Raja

For R1 : Mr. B.Nambiselvam
Additional Public Prosecutor



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ORDER

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This petition has been filed seeking to quash the FIR in Crime No. 602 of 2017 on the file of the Inspector of Police, Thoothukudi South Police Station, Thoothukudi District against this petitioner/1st accused.

2.The learned counsel for the petitioner would submit that on the basis of the complaint given by the defacto complainant the second respondent herein, the first respondent has registered a case in Crime No. 602 of 2017 for the offence punishable under Section 75(1)(c) of the Tamil Nadu City Police Act, 1888. The grievance of the petitioner is that though the case was registered in the year 2017, so far no final report has been filed.

3.The learned Additional Public Prosecutor submitted that so far final report has not been filed before the concerned Court.

4.Considering the nature of offence made out against the petitioner, this Court is of the view that since even after a lapse of six years, the final report has not been filed before the Concerned Court, it is



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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.602 of 2017 on the file of the respondent police is hereby quashed. Consequently, connected miscellaneous petition is closed.

06.04.2023

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

To

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



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G.ILANGO VAN,J.

TM

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