



Crl.O.P.(MD)No.6971 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.06.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.6971 of 2023

Gunalan

...Petitioner

Vs.

1.The State rep. by
The Inspector of Police,
Uchipuli Police Station,
Ramanathapuram District.
Crime No.323 of 2020

2.S.Thievendran

.... Respondents

PRAYER: This Criminal original Petition is filed under Section 482 Cr.P.C., to call for the records pertaining to the case in Crime No.323 of 2020, dated 11.06.2020 on the file of the 1st respondent i.e., the Inspector of Police, Uchipuli Police Station, Ramanathapuram District and quash the same.

For Petitioner : Mr.B.Mahendrarajan

For Respondents : Mr.R.Sureshkumar
Government Advocate (Crl. Side)



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ORDER

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This petition has been filed seeking to quash the impugned FIR in Crime No. 323 of 2020 on the file of the 1st respondent police.

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. 323 of 2020 for the offence punishable under Section 379 IPC against the petitioner. The grievance of the petitioner is that though the case was registered in the year 2020, 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 made ready but not presented before the 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 two 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.



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5.This criminal original petition is allowed and the FIR in Crime

No.323 of 2020 on the file of the 1st respondent police is hereby quashed.

19.06.2023

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

To

1. The Inspector of Police,
Uchipuli Police Station,
Ramanathapuram District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



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G.ILANGO VAN,J

trp

Order made in
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