

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.03.2023

CORAM :

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

Crl.O.P.(MD)No.5056 of 2023

and

Crl.M.P(MD) No.4475 of 2023

1. B.Vinothkumar

2. Prabhu

... Petitioners/Accused Nos.1 & 2

Vs.

1.The Inspector of Police
Samayanallur Police Station,
Samayanallur
Madurai.
(Crime No.285 of 2014)

... 1st Respondent / Complainant

2. Arumugam

...2nd Respondent/ Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the First Information Report in Crime No.285/2014 on the file of 1st respondent Police Samayanallur Police Station, Madurai District, and quash the same as illegal and pass such further or other orders.

For Petitioners : Mr. S.Arjun

For Respondents : Mr. B.Nambiselvan
Additional Public Prosecutor

ORDER

This petition has been filed seeking to quash the impugned FIR in Crime No.285 of 2014 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.285 of 2014 for the offences punishable under Sections 286, 427, 506(i) IPC against the petitioner. The grievance of the petitioner is that though the case was registered in the year 2014, 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 made out against the petitioner, this Court is of the view that since even after a lapse of nine 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. 285 of 2014 on the file of the respondent police is hereby quashed.

Consequently, connected miscellaneous petition is closed.

17.03.2023

NCC:Yes/No
Index : Yes/No
Internet:Yes/No
Indu

To

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

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G.ILANGOVAN, J.,

Indu

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