



Crl.O.P.(MD)No.5361 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 23.03.2023

CORAM :

THE HONOURABLE Mr. JUSTICE G.JLANGOVAN

Crl.O.P.(MD)No.5361 of 2023

and

Crl.M.P.(MD)No.4730 of 2023

Boopathi

... Petitioner/ Accused No.1

Vs.

1. State through
The Inspector of Police,
Kottampatti Police Station,
Madurai District.
In Crime No.53/2019.

... 1st Respondent/Complainant

2. Ramachandran,

....2nd Respondent/Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the Crime No.53/2019 dated 08.02.2019 on the file of 1st respondent Police, Madurai District and quash the same.

For Petitioner : Mr.Murugesan.M

For Respondents : Mr.Nambiselvan.B
Additional Public Prosecutor.

ORDER

This petition has been filed seeking to quash the impugned FIR in Crime No.53 of 2019 dated 08.02.2019 on the file of the 1st respondent



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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.53 of 2019 for the offences punishable under Sections 294(b), 323, 353 and 506(i) of IPC against the petitioner. The grievance of the petitioner is that though the case was registered in the year 2019, so far no final report has been filed before the concerned Court.

3.The learned Government Advocate (CrI. 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 3½ 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.53 of 2019 on the file of the respondent police is hereby quashed. Consequently, connected miscellaneous petition is closed.

23.03.2023

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



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To

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



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G.ILANGO VAN, J.,

Indu

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