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CrI.O.P.(MD)No.6584 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **11.04.2023**

CORAM:

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

CrI.O.P.(MD)No.6584 of 2023
and CrI.M.P.(MD).No.5762 of 2023

K.Ganapathi

... Petitioner

Vs.

1.The State rep. by

The Inspector of Police,

VPC - CID,

Madurai District.

Crime No.159 of 2016

... 1st Respondent/Complainant

2.Satheesh Kumar

.. 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the entire records pertaining to the case in Crime No. 159 of 2016 pending on the file of the Inspector of Police VPC-CID, Madurai and quash the same as against the petitioner.

For petitioner : Mr.N.Balasubramanian

For Respondents : Mr.B.Nambiselvan for R1
Additional Public Prosecutor



ORDER

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This criminal original petition has been filed to quash the FIR in Crime No.159 of 2016 pending on the file of the Inspector of Police VPC-CID, Madurai.

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.159 of 2016 for the offences punishable under Sections 5 and 65 of Copy Right Act, 1957 against the petitioner. The grievance of the petitioner is that though the case was registered in the year 2016, so far no final report has been filed before the concerned Court.

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 7 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.159 of 2016 on the file of the respondent police is hereby quashed.

Consequently, connected miscellaneous petition is closed.

11.04.2023

Index : Yes/No
Internet : Yes/No
TM

To

- 1.The Inspector of Police,
VPC - CID,
Madurai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGOVAN. J.

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