



Crl.O.P.(MD)No.5949 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.03.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.5949 of 2023

B.Sethupathy

... Petitioner

Vs.

1.The Inspector of Police,
Kottampatti Police Station,
Madurai District
(Crime No.239/2018)

2. Buvenshwaran

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to Crime No. 239 of 2018 dated 08.06.2018 on the file of the 1st Respondent Police and QUASH the same.

For Petitioner	: Mr.B.Santhanam Rajesh Kumar
For 1 st respondent	: Mr.R.Suresh Kumar
	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.239 of 2018 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.239 of 2018 for the offence punishable under Section 304(A) 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 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 five 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.239 of 2018 on the file of the 1st respondent police is hereby quashed.

30.03.2023

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

To

1.1.The Inspector of Police,
Kottampatti Police Station,
Madurai District
(Crime No.239/2018)

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

G.ILANGOVAN,J

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trp

Order made in
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