



Crl.O.P.(MD)No.6924 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.04.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.6924 of 2023

Sivan

...Petitioner

Vs.

1. The State rep. by
The Inspector of Police,
Moolakaraipatti Police Station,
Thirunelveli District.
(Crime No.159 of 2021)

2.A.Alwar

.... Respondents

PRAYER: This Criminal original Petition is filed under Section 482 Cr.P.C., to call for the records pertaining to the FIR in Crime No.159 of 2021 on the file of the 1st respondent police and quash the same as illegal.

For Petitioner : Mr.A.V.Arun

For 1st Respondent : Mr.B. Nambiselvan
Additional Public Prosecutor



WEB COPY



Crl.O.P.(MD)No.6924 of 2023

ORDER

This petition has been filed seeking to quash the impugned FIR in Crime No.159 of 2021 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.159 of 2021 for the offences punishable under Sections 143, 269 and 270 IPC against the petitioner. The grievance of the petitioner is that though the case was registered in the year 2021, 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



Crl.O.P.(MD)No.6924 of 2023

is inclined to allow this petition.

WEB COPY

5.This criminal original petition is allowed and the FIR in Crime No.159 of 2021 on the file of the 1st respondent police is hereby quashed.

17.04.2023

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

To

1. The Inspector of Police,
Moolakaraipatti Police Station,
Thirunelveli District.

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



WEB COPY



Crl.O.P.(MD)No.6924 of 2023

G.ILANGO VAN,J

trp

Order made in
Crl.O.P.(MD)No.6924 of 2023

Dated :17.04.2023