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Crl.O.P.(MD)No.7080 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.04.2023

CORAM:

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

Crl.O.P.(MD)No.7080 of 2023
and Crl.M.P.(MD).No.6220 of 2023

1.RAjavendra alias Ragavendra

2.Arumugam

3.Natarajan

... Petitioners/Accused 1 to 3

Vs.

1.The State,

Rep. by Inspector of Police,
SIPCOT Police Station,
Thoothukudi.

(FIR No.263 of 2016)

... 1st Respondent/Complainant

2.Selvakumar

... 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the Crime No.263 of 2016 on the file of the Respondent police Thoothukudi and Quash the same as against the petitioners.

For Petitioner : Mr.M.Karthikeya Venkitachalapathy

For Respondents : Mr.B.Nambiselvan
Additional Public Prosecutor



ORDER

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This Criminal Original Petition has been filed seeking to quash the FIR in Crime No.263 of 2016 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.263 of 2016 for the offences punishable under Sections 143 and 188 of IPC 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.



Crl.O.P.(MD)No.7080 of 2023

5.This criminal original petition is allowed and the FIR in Crime No.263 of 2016 on the file of the respondent police is hereby quashed.

Consequently, connected miscellaneous petition is closed.

19.04.2023

Index : Yes/No
Internet : Yes/No
TM
To

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



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G.ILANGOVAN. J.

TM

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