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Crl.O.P.(MD)No.7948 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.04.2023**

CORAM:

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

Crl.O.P.(MD)No.7948 of 2023
and Crl.M.P.(MD).No.6958 of 2023

1.Mohamed Sathick @ Mohamed Sadhick,
2.Salavutheen @ Jalaludeen .. Petitioners/Accused Nos.1 & 2

Vs.

The State rep. by Sub-Inspector of Police,
Pudukkottai Town Police Station,
Pudukkottai, Tamil Nadu – 622 001. .. Respondent/Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of
Cr.P.C, to call for the records in Crime No.137/2021 on the file of the
Respondent police and Quash the same as against the Petitioners.

For Petitioner : Mr.A.Raja Mohamed
For Respondents : Mr.B.Nambiselvan for R1
Additional Public Prosecutor

ORDER

This petition is filed seeking quashment of Crime No.137 of 2021
on the file of the first respondent.

2.Heard the learned counsel for the petitioner and the learned



Additional Public Prosecutor for the first respondent.

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3.The grievance of the petitioner is that on 22.01.2021, a case in Crime No.137 of 2021 for the offences punishable under Section 143, 341, 283, 269 and 270 of IPC r/w 51(b) of Disaster Management Act, has been registered against him along with other accused persons. The learned counsel for the petitioner would submit that though the case was registered in the year 2021, so far no final report has been filed.

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 2 ½ 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.137 of 2021 on the file of the respondent police is hereby quashed.



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Consequently, connected miscellaneous petition is closed.

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Index : Yes/No
Internet : Yes/No
TM

To

1.The Sub-Inspector of Police,
Pudukkottai Town Police Station,
Pudukkottai, Tamil Nadu – 622 001.

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



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G.ILANGOVAN. J.

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