



CrI.O.P.(MD)No.7998 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.04.2023

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

CrI.O.P.(MD)No.7998 of 2023

and

CrI.M.P(MD).No.7007 of 2023

1.Jalaludeen
2.Jakufar @ Jahubar Ali
3.Kasinathan @ Kasinathadurai
4.Dawkath Ali @ Thoulath Ali
5. Apupakkar @ AbubakkarSithick ... Petitioners

Vs.

The State Rep. by the Sub-Inspector of Police,
Pudukkottai Town Police Station,
Pudukkottai,
Tamil Nadu-622 001. ... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.1595 of 2020 on the file of the respondent police and quash the same as against the petitioners.

For Petitioners	: Mr.A.Raja Mohamed
For Respondent	: Mr.B.Nambiselvan
	Additional Public Prosecutor

ORDER

This petition has been filed seeking to quash the impugned FIR
in Crime No.1595 of 2020 on the file of the respondent police.



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2.The contention of the petitioner is that based on the complaint lodged by one Gurunathan, the respondent registered the First Information Report in Crime No.1595 of 2020 for the offences punishable under Sections 143, 283, 269, 270 of IPC, against the petitioners. The grievance of the petitioners 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 Additional Public Prosecutor appearing for the respondent would submit that on verification with the Investigating Officer, it is revealed that so far no Final Report has been presented before the concerned Court.

4. Heard both sides.

5. It is seen from the records that occurrence took place on 06.12.2020 and till now no Final Report has been filed. Also a petition seeking extension of time under Section 473 Cr.P.C. has also not been filed before the concerned Court.

6.Considering the nature of offence made out against the petitioners,



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this Court is of the view that since even after a lapse of 3 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.

7. This criminal original petition is allowed and the FIR in Crime No. 1595 of 2020 on the file of the respondent police is hereby quashed as against the petitioners herein. Consequently, the connected Criminal Miscellaneous Petition is closed.

27.04.2023

Index : Yes/No
Internet:Yes/No
tta

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.ILANGO VAN, J.,

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