



CRL OP(MD). No.8023 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 28.06.2023

CORAM

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD. No.8023 of 2023 &
CRL MP(MD) No.7028 of 2023

1. Pratheep

2. Priya Padmaja

3. Abi

... Petitioners/Accused A1 to A3

Vs

1.The State rep.by,
The Inspector of Police,
Eraniel Police Station
Eraniel
Kanyakumari District.

... Respondent/Complainant

2. Ayyana Pillai

...Respondent/Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records relating to the Charge Sheet in unnumbered FR.No. 324 of 2012 dated 27.09.2012 on the file of the Judicial Magistrate Court, Eraniel and quash the same.



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For Petitioners : M/S.Sathiya Singh .K

For Respondent No. 1 : Mr. S.Manikandan
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to call for the records relating to the Charge Sheet in unnumbered FR.No.324 of 2012 dated 27.09.2012 on the file of the Judicial Magistrate Court, Eraniel and quash the same.

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.656 of 2012 for the offence punishable under Sections 294(b), 323 and 506(i) IPC against the petitioners. The grievance of the petitioners is that though the case was registered in the year 2012, 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



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petitioners, this Court is of the view that since even after a lapse of 13 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.324 of 2012 on the file of the 1st respondent police is hereby quashed. Consequently, the connected Miscellaneous Petition is closed.

28.06.2023

Index : Yes / No
Internet: yes / No
trp

To

1.The Inspector of Police,
Eraniel Police Station
Eraniel
Kanyakumari District.

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



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