



CrI.O.P.(MD)No.8193 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.04.2023

CORAM :

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

CrI.O.P.(MD)No.8193 of 2023

Selvam

... Petitioner

Vs.

1. The State Represented by
The Inspector of Police,
Kenikarai Police Station,
Ramanathapuram District.

2.Nanthakumar

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the case in Crime No. 227 of 2018 dated 21.08.2018 on the file of the first respondent i.e, the Inspector of Police, Kenikarai Police Station, Ramanathapuram District.

For Petitioner :Mr.B.Mahendrarajan

For Respondents :Mr.B.Nambiselvan
Additional Public Prosecutor



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ORDER

This petition has been filed seeking to quash the impugned FIR in Crime No.227 of 2018 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.227 of 2018 for the offences punishable under Sections 294(b) of IPC and 4(1)(j) of TN Prohibition Act against the petitioner. The grievance of the petitioner is that though the case was registered in the year 2018, 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 5 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.



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5.This criminal original petition is allowed and the FIR in Crime No. 227 of 2018 on the file of the first respondent police is hereby quashed.

28.04.2023

Index : Yes/No
Internet:Yes/No
sbn

To

1. The Inspector of Police,
Kenikarai Police Station,
Ramanathapuram District.
2. Additional Public Prosecutor
Madurai Bench of Madras High Court.



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G.ILANGO VAN, J.,

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