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Crl.O.P.(MD)No.11612 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.06.2023**

CORAM:

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

Crl.O.P.(MD) No.11612 of 2023

and

CRL.MP(MD) No. 9133 of 2023

1.Kamala

2.Mariyappan

...Petitioners/ Accused 1 & 2

Vs.

1. The Inspector of Police
Thiruvidaimarudhur Police Station,
Thanjavur District.
(Crime No.180 of 2017)

2.Adhi Kesavan

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the First Information Report in Crime 180 of 2017 on the file of the first respondent police and Quash the same so for as this petitioners / A1 and A2 concern.

For Petitioner : Mr.J.Vishnu

For Respondent : Mr.B.Nambiselvan for R1
Additional Public Prosecutor

* * * * *



ORDER

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This criminal original petition has been filed to call for the records pertaining to the First Information Report in Crime 180 of 2017 on the file of the first respondent police and Quash the same so far as this petitioners / A1 and A2 concern.

2.The contention of the petitioners is that based on the complaint lodged by the 2nd respondent, the 1st respondent registered the First Information Report in Crime No.180 of 2017 for the offences punishable under Sections 160 of IPC against the petitioners. The grievance of the petitioner is that though the case was registered in the year 2017, 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 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.180 of 2017 on the file of the respondent police is hereby quashed. Consequently, connected miscellaneous petition is closed.

19.06.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
TM

To

1. The Inspector of Police
Thiruvudaimarudhur Police Station,
Thanjavur District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVA. J.

TM

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