



Crl.O.P.(MD) No.18386 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.10.2023

CORAM:

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

Crl.O.P.(MD) No.18386 of 2023

and

Crl.M.P.(MD) Nos.14137 and 14514 of 2023

Joyson

... Petitioner

Vs

1. The Inspector of Police,
South Police Station,
Thoothukudi District. Crime No. 386/2019.

2. E.Sivakumar

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to call for the entire records pertaining to the Impugned First Information report in Crime No. 386 of 2019 on the file of respondent no.1 police station and quash as against the petitioner is concerned.

For Petitioner : Mr.Henbi Tiphagne

For Respondent : Mr.M.Sakthi Kumar (R1)
Government Advocate (Crl.Side)



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ORDER

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This petition has been filed to quash the FIR in Crime No.386 of 2019, on the file of first respondent police.

2.The grievance 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.386 of 2019 for the offences punishable under Sections 143, 341 of IPC against the petitioner. Though the case was registered on 13.06.2019, 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 4 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.386 of 2019 on the file of the first respondent police is hereby quashed. Consequently, connected miscellaneous petitions are closed.

13.10.2023

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

PNM

To
1. The Inspector of Police,
South Police Station,
Thoothukudi District. Crime No. 386/2019.

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



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G.ILANGOVAN, J.

PNM

ORDER IN
CrI.O.P.(MD) No.18386 of 2023
and
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