



Crl.O.P.(MD)No.11863 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.06.2023

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.11863 of 2023
and
Crl.M.P.(MD)No.9355 and 9357 of 2023

C.K.Saravanan

..... Petitioner/Accused No.2

Vs.

The Sub-Inspector,
Railway Protection Force,
Madurai.

..... Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the Charge Sheet in C.C.No.170 of 2023 on the file of the Judicial Magistrate No.VI, Madurai, and quash the same as against this petitioner illegal .

For Petitioner : Ms.T.Vadivelan

For Respondent : Mr. B. Nambiselvan
Additional Public Prosecutor

ORDER

This petition has been filed seeking to quash the Charge Sheet in

C.C.No.170 of 2023 on the file of the Judicial Magistrate No.VI, Madurai.



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2. A case was registered vide RPF Post/ MDU Crime No.1461/2012 under Section 143(1)(a) of Railways Act, 1989 and the case was taken up by the learned Judicial Magistrate No.2/ Special Railway Magistrate case in S.T.C.No.1434 of 2012. A charge sheet in C.C.No.170 of 2023 dated 26.12.2022 was filed on the file of the learned Judicial Magistrate No.VI, Madurai. The grievance of the petitioner is that though the charge sheet was filed after 10 years and 4 months.

3. The learned Additional Public Prosecutor appearing for the first respondent would submit that on verification with the Investigating Officer, it is revealed that the charge sheet was filed only on 26.12.2022 before the learned Judicial Magistrate No.VI, Madurai.

4. Heard both sides.

5. It is seen from the records that occurrence took place on 29.06.2012 and charge sheet was filed only on 26.12.2022, after completion of more than 10 years, 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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7. This criminal original petition is allowed and C.C.No.170 of 2023 on the file of the Judicial Magistrate No.VI, Madurai, is hereby quashed as against the petitioner herein. Consequently, connected miscellaneous petitions stand closed.

30.06.2023

NCC : Yes / No

Index : Yes/No

Internet:Yes/No

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To

1. The Judicial Magistrate No.VI, Madurai.
2. The Sub-Inspector, Railway Protection Force, Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN, J.,

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