



Crl.O.P.(MD)No.14202 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **09.10.2023**

CORAM:

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

Crl.O.P.(MD)No.14202 of 2023

Suresh

... Petitioner/accused

Vs.

1.The State rep.by
The Inspector of Police,
Athirampattinam Police Station,
Thanjavur District.
(Crime No.171 of 2019)

2.Arokkia Nathan

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records in FIR in Crime No.171 of 2019 on the file of the first respondent police and quash the same.

For petitioner : Mr.D.R.Murugesan

For Respondent No.1: Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)

ORDER

This petition has been filed seeking to quash the impugned FIR in Crime No.171 of 2019 on the file of the 1st respondent police.



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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.171 of 2019 for the offences punishable under Sections 21(1) of the Mines and Minerals (Development & Regulation Act, 1957 and 379 IPC against the petitioner.

3.Apart from other grounds, the major ground, on which the petitioner has sought for quashment of FIR, is that the respondent police could not file the charge sheet in respect of the offence committed in the year 2019, thereby there is a bar under Section 468 Cr.P.C., from taking cognizance.

4.The learned Government Advocate (Crl. Side) submitted that even though the case has been registered in the year 2019, so far final report has not been filed before the concerned Court.

5.Considering the nature of offence made out against the petitioner, this Court is of the view that since the charge sheet has not been filed even beyond 3 ½ years of the alleged date of occurrence, the



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FIR can be quashed as it is barred by limitation under Section 468 of Cr.P.C. Therefore, this Court is inclined to allow this petition.

6.Accordingly, this criminal original petition is allowed and the FIR in Crime No.171 of 2019 on the file of the respondent police is hereby quashed.

09.10.2023

Index : Yes/No
Internet : Yes/No
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To

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



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G.ILANGOVAN. J.

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