



Crl.O.P(MD).No.3299 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 31.03.2023

CORAM:

THE HONOURABLE MRS. JUSTICE R.THARANI

Crl.O.P(MD).No.3299 of 2021

and

Crl.M.P.(MD)No.1826 of 2021

M.Senthil

...Petitioner

Vs

1.The Sub-Inspector of Police,
Nagamalai Pudukkottai Police Station,
Madurai – 625 019.
In Crime No.29 of 2015.

3.Pandiarajan

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying this Court to call for the records pertaining to the First Information Report in Crime No.29 of 2015 dated 14.01.2015 on the file of the respondent no.1 for offence under Section 147, 148, 294(b) and 506(i) of Indian Penal Code, 1860 and quash the same as illegal as against the petitioner/accused no.9.

For Petitioner
For 1st Respondent

: Mr.R.Karuppiyah
: Mrs.M.Aasha
Government Advocate (Crl. Side)



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4. On the side of the petitioner, it is further stated that all the alleged offence are only punishable for a period of two years. The period of limitation is over. Since there is no cognizance offence, the investigation is not permissible under Section 36 of Cr.P.C. It is stated that the petitioner is trying to aspire a Government job. The offence are time bared and prayed the FIR to be quashed.

5. On the side of the prosecution, it is stated that the offence is under Section 506(ii) of IPC and there is no bar under Section 468 of Cr.P.C. The petitioner is A9. The investigation is over and the chargesheet is ready to be filed.

6. A perusal of records reveals that the FIR is under Sections 294(b) and 506(ii) of IPC. The offence under Section 506(ii) of IPC is punishable for a period of 7 years. Hence, the case is not bared under Section 468 of Cr.P.C. The prosecution is directed to file chargesheet within a period of one month from the date of receipt of copy of this order.



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7.In view of the above direction, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

31.03.2023

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

To

- 1.The Inspector of Police,
All Women Police Station,
Nagercoil,
Kanyakumari District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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R. THARANI,J.

Mrn

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