



WEB COPY



Crl.O.P.(MD)No.15869 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.10.2023**

CORAM:

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

Crl.O.P.(MD) No.15869 of 2023

and

Crl.M.P(MD)No.12607 of 2023

1.Kanakamani

2.Thilagar

3.Subburaj

4.Selvakumar

... Petitioners / Accused Nos.1 to 4

Vs.

1.The Sub-Inspector of Police,
Chinnamanur Police Station,
Theni District.
(In Crime No.669/2016).

2.Arunasalam

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the impugned FIR in Crime No.669 of 2016 date 16.12.2016 on the file of the first responden1 police and to quash the same as illegal so far as the petitioner is concern.

For Petitioners : Mr.K.Sivabalan

For Respondents : Mr.M. Sakthi Kumar
Government Advocate (Crl.side)



WEB COPY



Crl.O.P.(MD)No.15869 of 2023

ORDER

This petition has been filed seeking to quash the impugned FIR in Crime No.669 of 2016 on the file of the 1st respondent police.

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.669 of 2016 for the offences punishable under Sections 147, 148, 427, 323, 324, 294(b), 506(1) of IPC altered into Sections 427, 294(b) and 506(1) of IPC, against the petitioners. The grievance of the petitioners is that though the case was registered in the year 2016, so far no final report has been filed before the concerned Court.

3. The learned Government Advocate (Crl.side) appearing for the first respondent would submit that on verification with the Investigating Officer, it is revealed that so far no Final Report has been presented before the concerned Court.

4. Heard both sides.



Crl.O.P.(MD)No.15869 of 2023

WEB COPY

5. It is seen from the records that occurrence took place on 16.11.2016 and till now no Final Report has been filed. Also a petition seeking extension of time under Section 473 Cr.P.C. has also not been filed before the concerned Court.

6. Considering the nature of offence made out against the petitioner, this Court is of the view that since even after a lapse of nearly 8 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.

7. This criminal original petition is allowed and the FIR in Crime No.669 of 2016 on the file of the respondent police is hereby quashed as against the petitioners herein. Consequently, connected miscellaneous petition stands closed.

12.10.2023

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

pnn



WEB COPY



Crl.O.P.(MD)No.15869 of 2023

G.ILANGOVAN. J.

pnn

To

- 1.The Sub-Inspector of Police, Chinnamanur Police Station,
Theni District. (In Crime No.669/2016).
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.(MD) No.15869 of 2023

12.10.2023