



Crl.O.P.(MD) No.16169 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.16169 of 2023
and Crl.M.P.(MD).No.12872 of 2023

R.Muthumaran

...Petitioner / Accused No.3

Vs.

1.The State rep. by its,
The Inspector of Police,
Melur Police Station,
Madurai District.

(In Crime No.122 of 2013)

...1st Respondent / Complainant

2.The Sub-Inspector of Police,
Melur Police Station,
Madurai District.

...2nd Respondent / Defacto Complainant

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.122/2013 dated 14.03.2023 on the 1st Respondent Police and to quash the same as illegal in so far as the petitioner is concerned.

For Petitioner :Mr.B.Vinoth Kumar

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



Crl.O.P.(MD) No.16169 of 2023

WEB COPY

ORDER

This Criminal Original Petition has been filed seeking quashment of the impugned FIR in Crime No.122/2013 dated 14.03.2023 on 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.122 of 2013 for the offences punishable under Sections 379 of IPC and Section 21(1) (v) of Mines and Minerals Act and Section 3 of Tamil Nadu Property (Prevention of Damages and Loss) Act, against the petitioner. The grievance of the petitioner is that though the case was registered in the year 2013, 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 even after a lapse of 10 years, the final report has not



Crl.O.P.(MD) No.16169 of 2023

WEB COPY

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.

5.This criminal original petition is allowed and the FIR in Crime No.122 of 2013 on the file of the respondent police is hereby quashed. Consequently, connected miscellaneous petition is closed.

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

06.10.2023

TM

To

1.The Inspector of Police,
Melur Police Station,
Madurai District.
(In Crime No.122 of 2013)

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



WEB COPY



Crl.O.P.(MD) No.16169 of 2023

G.ILANGOVAN. J.

TM

Crl.O.P.(MD)No.16169 of 2023

06.10.2023