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CrI.O.P.(MD)No.19006 of 2022



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **30.11.2023**

CORAM:

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

CrI.O.P.(MD)No.19006 of 2022

and

CrI.M.P.(MD).No.12804 of 2022

Sasikumar

... Petitioner

Vs.

1.State through
The Inspector of Police,
Thondi Police Station,
Thondi,
Ramanathapuram District.
(Crime No.51/2022)

2.The Zonal Deputy Tahsildar,
Thiruvadanai Taluk Office,
Thiruvadanai Taluk,
Ramanathapuram District.

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C,To call for the records pertaining to the case registered in Crime No.51 of 2022 on the file of the first respondent police dated 18.02.2022 and quash the same with regard to the petitioner/accused No.1 as illegal.

For Petitioner : Mr.P.Santhana Krishnan

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



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ORDER

This petition has been filed seeking to quash the impugned FIR in Crime No.51 of 2022 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. 51 of 2022 for the offences punishable under Sections 143 and 171(E) of IPC against the petitioner. The grievance of the petitioner is that though the case was registered in the year 2022, 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.



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5. It is seen from the records that occurrence took place on 17.02.2022 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 1 ½ 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. Accordingly, this criminal original petition is allowed and the FIR in Crime No.51 of 2022 on the file of the first respondent police is hereby quashed as against the petitioner herein. Consequently, connected miscellaneous petition is closed.

30.11.2023

Index : Yes/No
Internet : Yes/No
cp



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To

- 1.The Inspector of Police,
Thondi Police Station,
Thondi, Ramanathapuram District.
- 2.The Zonal Deputy Tahsildar,
Thiruvadanai Taluk Office,
Thiruvadanai Taluk,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

cp

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