



Crl.O.P.(MD)No.18049 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED:10.10.2023

CORAM:

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

Crl.O.P.(MD)No.18049 of 2023

and

Crl. M.P.(MD)No.14264 of 2023

1.Indra Priyadharshini

2.Sethuraman

... Petitioners/Accused 1 & 2

Vs.

1.The State rep.by

The Inspector of Police,

Thirumangalam Town Police Station,

Madurai District.

(Crime No.103 of 2016)

2.Rajaram

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the case in Crime No.103 of 2016 pending on the file of the Inspector of Police, Thirumangalam Town Police Station, Madurai and quash the same as far as the petitioners are concerned.

For petitioners : Mr.R.L.Dhilipan Pandian

For R1 : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)



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ORDER

This petition has been filed seeking to quash the impugned FIR in Crime No.103 of 2016 on the file of the 1st respondent police.

2.The contention of the petitioners is that based on the complaint lodged by the 2nd respondent, the 1st respondent registered the First Information Report in Crime No.103 of 2016 for the offences punishable under Sections 294(b), 324, 355 and 506(I) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act against the petitioners.

3.Apart from other grounds, the major ground, on which the petitioners have 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 2016, 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 2016, so far final report has not been filed before the concerned Court.



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5.Considering the nature of offence made out against the petitioners, this Court is of the view that since the charge sheet has not been filed even beyond more than 6 years of the alleged date of occurrence, 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.103 of 2016 on the file of the respondent police is hereby quashed. Consequently, connected miscellaneous petition is also closed.

10.10.2023

Index : Yes/No
Internet : Yes/No
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To

1.The Inspector of Police,
Thirumangalam Town Police Station,
Madurai District.

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



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G.ILANGOVAN. J.

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