



Crl.O.P.(MD).No.20668 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.03.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.20668 of 2022

and

Crl.M.P(MD).No.14388 of 2022

1. M.Mahendran
2. Banumathi
3. Punniyamoorthy
4. Venkatesh @ Venkatesan ...Petitioners/Accused Nos.1 to 4

Vs.

1. State through by
The Inspector of Police,
Appanthirupathy Police Station,
In Crime No.139/2020,
Madurai District. ...1st Respondent / Complainant
2. Mrs. Jeyalakshmi, ...2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for records relating to the FIR in Crime No.139/2020 dated 08.04.2020 on the file of the 1st Respondent QUASH.



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For Petitioners : Mr. Subash Babu.M. Senior Counsel
for Susi Kumar.C.

For R1 :Mr.R.Suresh Kumar
Government Advocate (CrI.Side)

For R2 : No Appearance

ORDER

This petition has been filed seeking to quash the impugned FIR in Crime No.139 of 2020 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.139 of 2020 for the offences punishable under Sections 4(1)(aa) of TN Prohibition Act, against the petitioners. The grievance of the petitioners is that though the case was registered in the year 2020, sofar no final report has been filed before the concerned Court.

3.The learned Government Advocate (CrI. Side) submitted that sofar final report has not been filed before the concerned Court.

4.Considering the nature of offence made out against the



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petitioners, this Court is of the view that since even after a lapse of 2 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.

5.This criminal original petition is allowed and the FIR in Crime No.139 of 2020 on the file of the respondent police, registered against the petitioners, is hereby quashed. Consequently, connected miscellaneous petition is closed.

10.03.2023

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

To

1. The Inspector of Police,
Appanthirupathy Police Station,
In Crime No.139/2020,
Madurai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

3/4



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G.ILANGOVAN,J.

TM

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and
CrI.M.P(MD).No.14388 of 2022

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