



Crl.O.P.(MD) No.18246 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.18246 of 2023

and

Crl.M.P.(MD) No.14420 of 2023

Vinithkumar

... Petitioner

Vs

1. The Inspector of Police,
Kadayam Police Station,
Tenkasi District.
Crime No.78/2022.

2. Jayaraj

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to call for the records relating to the impugned In Crime no.78 of 2022, on the file of the 1st Respondent Police and quash the same as illegal.

For Petitioner : Mr.S.Selvakumar

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



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ORDER

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This petition has been filed to quash the FIR in Crime No.78 of 2022, on the file of first respondent police.

2.The grievance 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.78 of 2022 for the offences punishable under Sections 143, 269, 270 of IPC against the petitioner. Though the case was registered on 25.02.2022, 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 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.



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5.This Criminal Original Petition is allowed and the FIR in Crime No.78 of 2022 on the file of the first respondent police is hereby quashed. Consequently, connected miscellaneous petition is closed.

12.10.2023

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

PNM

To

1. The Inspector of Police,
Kadayam Police Station,
Tenkasi District.
Crime No.78/2022.

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



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G.ILANGOVA, J.

PNM

ORDER IN
CrI.O.P.(MD) No.18246 of 2023
and
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