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*CrI.O.P.(MD)No.19183 of 2023*



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.12.2023**

CORAM:

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

**CrI.O.P.(MD) No.19183 of 2023**

Vadivel

... Petitioner/Accused

Vs.

1.The State Rep. by  
The Inspector of Police,  
Manamadurai Police Station,  
Crime No.187/2018  
Ramanathapuram District.

...1<sup>st</sup> Respondent/Complainant

2.Thirumoorthy

...2<sup>nd</sup> Respondent/Defacto  
Complainant

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.187 of 2018 dated 12.07.2018 on the file of the 1<sup>st</sup> respondent, i.e. the Inspector of Police, Manamadurai Police Station, Ramanathapuram District and quash the all further proceedings.

For Petitioner : Mr.B.Mahendrarajan

For R1 :Mr.M.Vaikkam Karunanithi  
Government Advocate (CrI.side)



## **ORDER**

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This petition has been filed seeking to quash the impugned FIR in Crime No.187 of 2018 on the file of the 1<sup>st</sup> respondent police.

2.The contention of the petitioner is that based on the complaint lodged by the 2<sup>nd</sup> respondent, the 1<sup>st</sup> respondent registered the First Information Report in Crime No.187 of 2018 for the offences punishable under Sections 304A IPC against the petitioner. The grievance of the petitioner is that though the case was registered in the year 2018, 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. Report is received from the concerned trial Court stating that so far no Final Report is filed in this matter.

5. Considering the nature of offence made out against the petitioner, this Court is of the view that since even after a lapse of 5 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



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inclined to allow this petition.

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5.This criminal original petition is allowed and the FIR in Crime  
No.187 of 2018 on the file of the respondent police is hereby quashed.

**01.12.2023**

Index : Yes/No

Internet : Yes/No

Indu

To

- 1.The Inspector of Police,  
Manamadurai Police Station,  
Ramanathapuram District.
- 2.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**G.ILANGO VAN. J.**

Indu

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