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Crl.O.P.(MD)No.20572 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.11.2023**

CORAM:

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

Crl.O.P.(MD) No.20572 of 2023

Naina Mohamed

... Petitioner/ Sole Accused

Vs.

1.The Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram District.
(Crime No.496 of 2017)

... 1st Respondent/Complainant

2.Vengatesh Perumal

... 2nd 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 registered in impugned First Information Report in Crime No.496 of 2017 on the file of the first respondent Police and quash the same.

For petitioner : Mr.B.Arun

For R1 : Mr.R.M.Anbunithi
Additional Public Prosecutor (Crl. Side)



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ORDER

This petition has been filed seeking to quash the impugned FIR in Crime No.496 of 2017 on the file of the first 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.496 of 2017 for the offences punishable under Section 65 of Copyright Act, 1957, against the petitioner. The grievance of the petitioner is that though the case was registered in the year 2017, so far no final report has been filed before the concerned Court.

3.The learned Additional Public Prosecutor (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 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 inclined to allow this petition.



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5.This criminal original petition is allowed and the FIR in Crime No.496 of 2017 on the file of the first respondent police is hereby quashed.

16.11.2023

Index : Yes/No

Internet : Yes/No

vsg

To

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



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G.ILANGO VAN. J.

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