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CrI.O.P.(MD)No.20522 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

CrI.O.P.(MD) No.20522 of 2023

and

CrI.M.P.(MD).No.16060 of 2023

Vijayaraja

... Petitioner/ Accused No.8

Vs.

1.The Inspector of Police,
Shanarpatti Police Station,
Dindigul District.
(Crime No.1197 of 2020)

... 1st Respondent/Complainant

2.Velmurugan

... 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 impugned F.I.R. in Crime No.1197 of 2020 dated 27.12.2020 on the file of the first respondent police and quash the same as illegal in so far as the petitioner concerned.

For petitioner : Mr.S.Kanisheik

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



ORDER

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This petition has been filed seeking to quash the impugned FIR in Crime No.1197 of 2020 dated 27.12.2020 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.1197 of 2020 for the offences punishable under Section 12 of Tamil Nadu Gaming Act, 1930, against the petitioner and others. The grievance of the petitioner is that though the case was registered in the year 2020, 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 2 ³/₄ 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.1197 of 2020 on the file of the first respondent police is hereby quashed. Consequently, connected miscellaneous petition is closed.

16.11.2023

Index : Yes/No

Internet : Yes/No

vsg

To

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



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G.ILANGOVAN. J.

vsg

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