



Crl.O.P.(MD)No.20721 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 21.11.2023

CORAM:

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

Crl.O.P.(MD) No.20721 of 2023
and Crl.M.P.(MD).No.16253 of 2023

- 1.Usman
- 2.Vaiyakumar
- 3.Mohamed Bilal
- 4.Kani
- 5.Beer Mohamed ... Petitioners/Accused Nos.2,3 and 5 to 7

Vs.

- 1.The State rep. by its
The Inspector of Police,
B1 Nagar Police Station,
Ramanathapuram District.
(Crime No.148 of 2016) ... 1st Respondent/Complainant
- 2.P.Periyasamy ... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, call for the records of the FIR in Crime No. 148 of 2016 dated 26.03.2016 registered by the 1st respondent police and quash the same as illegal against the petitioner.

For petitioner : Mr.K.Yasar ARafath
For R1 : Mr.R.M.Anbunithi
Additional Public Prosecutor



ORDER

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This petition has been filed seeking to quash the impugned FIR in Crime No.148 of 2016 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.148 of 2016 for the offences punishable under Sections 12 of Tamil Nadu Gaming Act, 1930 against the petitioners. The grievance of the petitioners is that though the case was registered in the year 2016, so far no final report has been filed before the concerned Court.

3.The learned Additional Public Prosecutor 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 7 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.148 of 2016 on the file of the respondent police is hereby quashed. Consequently, connected miscellaneous petition is closed.

21.11.2023

Index : Yes/No
Internet : Yes/No
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To

- 1.The Inspector of Police,
B1 Nagar Police Station,
Ramanathapuram District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

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