



Crl.O.P.(MD).No.20497 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.11.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.20497 of 2023
and Crl.M.P.(MD).No.16028 of 2023

1.M.Uthayakumar

2.S.Vivek @ Vivek Rozario

... Petitioners

Vs.

1.State Rep.by

The Inspector of Police,
Peravurani Police Station,
Thanjavur District.
(Crime No.69 of 2020)

2.Sangeetha

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records pertaining to the FIR in Crime No. 69 of 2020 dt. 22.03.2020 pending on the file of the 1st respondent for an alleged offence under sections 294(b), 188, 269, 270, 271, 336, 353 of Indian Penal code and quash the same

For Petitioners : Mr.T.Thirumurugan

For R1 :Mr.R.M.Anbunithi
Addl.Public Prosecutor
(Crl.side)



Crl.O.P.(MD).No.20497 of 2023

ORDER

WEB COPY

This petition has been filed seeking to quash the impugned FIR in Crime No.69 of 2020 on the file of the 1st 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.69 of 2020 for the offences punishable under Sections 294(b), 188, 269, 270, 271, 336, 353 of IPC against the petitioner. 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 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 3 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



Crl.O.P.(MD).No.20497 of 2023

is inclined to allow this petition.

WEB COPY

5.This criminal original petition is allowed and the FIR in Crime No.69 of 2020 on the file of the respondent police is hereby quashed. Consequently, connected miscellaneous petition is closed.

16.11.2023

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

To

- 1.The Inspector of Police,
Peravurani Police Station,
Thanjavur District.
(Crime No.69 of 2020)
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD).No.20497 of 2023

G.ILANGO VAN,J.

TM

Crl.O.P.(MD).No.20497 of 2023

16.11.2023