



Crl.O.P.(MD).No.20195 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.11.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.20195 of 2023
and Crl.M.P.(MD).No.15767 & 15769 of 2023

A.Velankanni

... Petitioner

Vs.

1.The State through
The Sub Inspector of Police,
Ammayanaickanur Police Station,
Dindigul District.
Crime No.63/2018.

2.Arunkumar

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records relating to the Impugned proceedings in C.C.No.83 of 2019 on the file of the Judicial Magistrate, Nilakottai and quash the same and pass such further or other orders.

For Petitioner : Mr.M.A.Abdul Muthalif

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



Crl.O.P.(MD).No.20195 of 2023

ORDER

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This petition has been filed seeking to quash the Impugned proceedings in C.C.No.83 of 2019 on the file of the Judicial Magistrate, Nilakottai.

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.63 of 2018 for the offences punishable under Sections 279 and 294(b) of IPC against the petitioner. The grievance of the petitioner is that though the case was registered in the year 2018, the final report has been filed before the concerned Court only in the year 2019, after the period of limitation.

3.The learned Government Advocate (Crl. Side) submitted that the final report was made ready on 28.02.2018 and filed before the concerned Court on 27.03.2019. It was taken cognizance on 28.05.2019 in C.C.No.83 of 2019.

4.Considering the nature of offence made out against the



Crl.O.P.(MD).No.20195 of 2023

petitioner, this Court is of the view that even the final report is made ready in the year 2018, it was filed before the concerned court in the year 2019, after a lapse of one year, it is barred by limitation under Section 468 of Cr.P.C . Therefore, this Court is inclined to allow this petition.

5.This criminal original petition is allowed and the Impugned proceedings in C.C.No.83 of 2019 on the file of the Judicial Magistrate, Nilakottai, is hereby quashed. Consequently, connected miscellaneous petitions are closed.

30.11.2023

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

To

- 1.The Judicial Magistrate, Nilakottai.
- 2.The Sub Inspector of Police,
Ammayanaickanur Police Station,
Dindigul District.
Crime No.63/2018.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

3/4



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Crl.O.P.(MD).No.20195 of 2023

G.ILANGO VAN,J.

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Crl.O.P.(MD).No.20195 of 2023

30.11.2023