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Crl.O.P.(MD)No.20592 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.20592 of 2023

and

Crl.M.P.(MD).No.16119 of 2023

Lakshmi Ganesan @ Dhanalakshmi

... Petitioner/ Accused No.4

Vs.

1.The Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.
(Crime No.123 of 2021)

... 1st Respondent/Complainant

2.Krishnamoorthi

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the FIR in Crime No.123 of 2021 dated 02.04.2021 on the file of the respondent Police and to quash the same.

For petitioner : Mr.A.Manikandan

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



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ORDER

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This petition has been filed seeking to quash the impugned FIR in Crime No.123 of 2021 dated 02.04.2021 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.123 of 2021 for the offences punishable under Section 171(E) of IPC, against the petitioner and others. The grievance of the petitioner is that though the case was registered in the year 2021, 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 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.123 of 2021 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,
Sivakasi East Police Station,
Virudhunagar District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVA. J.

vsg

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