



WEB COPY

Crl.O.P.(MD)No.20605 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.11.2023

CORAM:

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

Crl.O.P.(MD) No.20605 of 2023

and

Crl.M.P.(MD). Nos.16129 & 16131 of 2023

1.Shaji

2.R.Rajesh

3.Ram Kumar

4.Justin

5.Lenin

6.Manikandan

7.John Jurin

... petitionerss/Accused
Nos.1, 2, 4 to 8

Vs.

1.The State of Tamilnadu,
Rep. by the Inspector of Police,
Karungal Police Station,
Kanyakumari District.
(Crime No.619/2013).

...1st Respondent/Complainant

2.S.Malathi

...2nd Respondent/Defacto
Complainant



PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to P.R.C. No.124 of 2022 in Crime No.619 of 2013 on the file of the Judicial Magistrate, Eraniel, and quash the same.

For petitioners : Mr.N.Dilipkumar

For R1 : Mr.M.Sakthi Kumar,
Government Advocate (Crl.side).

ORDER

This Criminal Original Petition is filed to call for the records relating to P.R.C. No.124 of 2022 in Crime No.619 of 2013 on the file of the Judicial Magistrate, Eraniel, and quash the same.

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.619 of 2013 for the offences punishable under Section 3(1) of TNPPDL Act against the petitioners. Now the grievance of the petitioners is that though the case was registered in the year 2013, the final report has been presented before the concerned Court only in the year 2017.



3.The learned Government Advocate (Crl. side) submitted that the final report has been presented before the concerned Court on 05.01.2017.

4.Considering the nature of offences made out against the petitioners, this Court is of the view that after a lapse of four years, the Final Report has been presented 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.

5.This criminal original petition is allowed and the case in P.R.C. No.124 of 2022 pending on the file of the learned Judicial Magistrate, Eraniel, is hereby quashed. Consequently, connected Miscellaneous Petitions are closed.

17.11.2023

NCC:Yes/No

Index : Yes/No

Internet : Yes/No

Indu



CrI.O.P.(MD)No.20605 of 2023

G.ILANGOVAN. J.

Indu

To

- 1.The learned Judicial Magistrate, Eraniel.
- 2.The Inspector of Police,
Karungal Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P.(MD) No.20605 of 2023

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