



Crl.O.P.(MD).No.21192 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.11.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.21192 of 2023
and Crl.M.P.(MD).No.16592 of 2023

Balaji

... Petitioner

Vs.

1.The State Rep by
The Inspector of Police,
Chockkampatti Police Station,
Tenkasi District.
(Crime No.133 of 2019)

2.I.Muthuraj

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records relating to the impugned FIR in Crime No. 133 of 2019 dt. 20.05.2019. on the file of the 1st respondent police and quash the same against this petitioner.

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



Crl.O.P.(MD).No.21192 of 2023

ORDER

WEB COPY

This petition has been filed seeking to quash the impugned FIR in Crime No.133 of 2019 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.133 of 2019 for the offences punishable under Section 379 of IPC against the petitioner. The grievance of the petitioner is that though the case was registered in the year 2019, 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 been filed before the concerned Court on 26.11.2023.

4.Though the final report has been filed before the concerned Court on 26.11.2023, Considering the nature of offence made out against the petitioner, this Court is of the view that since even after a lapse of 4 ½ years, the final report has been filed before the Concerned Court only on yesterday i.e., 26.11.2023, it is barred by limitation under Section 468



Crl.O.P.(MD).No.21192 of 2023

of Cr.P.C . Therefore, this Court is inclined to allow this petition.

WEB COPY

5.This criminal original petition is allowed and the FIR in Crime No.133 of 2019 on the file of the respondent police is hereby quashed. Consequently, connected miscellaneous petition is closed.

27.11.2023

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

To

- 1.The Inspector of Police,
Chockkampatti Police Station,
Tenkasi District.
(Crime No.133 of 2019)
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD).No.21192 of 2023

G.ILANGOVAN,J.

TM

Crl.O.P.(MD).No.21192 of 2023

27.11.2023