



Crl.O.P.(MD).No.20765 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.20765 of 2023
and Crl.M.P.(MD).No.16294 of 2023

Siva Sankar

... Petitioner

Vs.

1. The State rep.by
The Inspector of Police,
Rameswaram Town Police Station,
Ramanathapuram District.
Crime No.95 of 2021.

2.Rejenthiran

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the
Criminal Procedure Code, to call for the records pertaining to Crime No.
95/2021, on the file of the 1st Respondent and quash the same.

For Petitioner : Mr.C.Senthil Murugan

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



Crl.O.P.(MD).No.20765 of 2023

ORDER

WEB COPY

This petition has been filed seeking to quash the impugned FIR in Crime No.95 of 2021 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.95 of 2021 for the offences punishable under Sections 4AA(1a) & 4AA(4) of Tamil Nadu Open Places (Prevention of disfigurement) Act, 1959, against the petitioner. 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 Government Advocate (Crl. Side) submitted that so far final report was made ready, yet to be 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 ½



Crl.O.P.(MD).No.20765 of 2023

years, the final report has not been filed before the Concerned Court, it is barred by limitation under Section 468 of Cr.P.C, even though final report is made ready. Therefore, this Court is inclined to allow this petition.

5.This criminal original petition is allowed and the FIR in Crime No.95 of 2021 on the file of the respondent police is hereby quashed. Consequently, connected miscellaneous petition is closed.

20.11.2023

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

To

1.The Inspector of Police,
Rameswaram Town Police Station,
Ramanathapuram District.
Crime No.95 of 2021.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD).No.20765 of 2023

G.ILANGOVAN,J.

TM

Crl.O.P.(MD).No.20765 of 2023

20.11.2023