



Crl.O.P.(MD)No.21303 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 27.11.2023

CORAM:

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

Crl.O.P.(MD) No.21303 of 2023
and Crl.M.P.(MD).No.16654 and 1655 of 2023

Lakshmi Ganesan @ Dhanalakshmi ... Petitioner/Accused No.2

Vs.

1.The Inspector of Police
Maraneri Police Station,
Virudhunagar District. Cr.No.76/2021 ... Respondent/Complainant

2.Kannan ... Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the charge sheet filed in STC No.434/2023 on the file of the Judicial Magistrate Court No.1, Sivakasi, Virudhunagar District and to quash the same as against this Petitioner.

For petitioner : Mr.A.Manikandan

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

ORDER

This petition has been filed seeking to quash the charge sheet filed in STC No.434 of 2023 on the file of the Judicial Magistrate Court No.1, Sivakasi, Virudhunagar District.



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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.76 of 2021 for the offences punishable under Sections 171(E) of IPC against the petitioner. The grievance of the petitioner is that though the case was registered in the year 2021 and though the charge sheet was made ready in the year 2021, it was filed before the concerned Court only in the year 2023, after the limitation period is over.

3.The learned Government Advocate (Crl. Side) consented that the charge sheet has been filed in the year 2023.

4.Considering the nature of offence made out against the petitioner, this Court is of the view that since after a lapse of 2 years, the final report has been taken cognizance by the trial 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 charge sheet filed in STC No.434/2023 on the file of the Judicial Magistrate Court No. 1, Sivakasi, Virudhunagar District, is hereby quashed. Consequently, connected miscellaneous petitions are closed.

27.11.2023

Index : Yes/No
Internet : Yes/No
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To

- 1.The Judicial Magistrate Court No.1, Sivakasi, Virudhunagar District.
- 2.The Inspector of Police
Maraneri Police Station,
Virudhunagar District
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

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