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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.12.2023

CORAM:

THE HON'BLE MR.JUSTICE **G.ILANGOVAN**

CrI.O.P(MD).No.22115 of 2023

and

CrI.M.P(MD) No. 17303 of 2023

Battanimiran

... Petitioner

Vs.

1.The Inspector of Police,  
Kenikarai Police Station  
Ramanthapuram District

2. Shanmugapriya

... Respondents

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to call for the records of the impugned First Information Report in Crime No.456 of 2019 on the file of the first respondent police station and quash the same as illegal as against the petitioner.

For Petitioner : Mr.A.Abdul Kabur

For R-1 : Mr.R.M.Anbunithi  
Additional Public Prosecutor

### **ORDER**

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to quash the FIR in Crime No.456 of 2019 on the file of the first respondent Police against the petitioner.



2.The contention of the petitioner is that based on the complaint lodged by the 2<sup>nd</sup> respondent, the 1<sup>st</sup> respondent registered the First Information Report in Crime No.456 of 2019 for the offences punishable under Sections 4A(1b) 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 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 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 6 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.

5.This Criminal Original Petition is allowed and the FIR in Crime No. 456 of 2019 on the file of the respondent police is hereby quashed. Consequently connected miscellaneous petition is closed.

**07.12.2023**

Internet : Yes / No  
Index : Yes / No  
Speaking / Non Speaking order



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To;

1. The Inspector of Police,  
Kenikarai Police Station  
Ramanthapuram District
2. The Additional Public Prosecutor  
Madurai Bench of Madras High Court.



**G.ILANGOVAN, J.**

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