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CrI.O.P.(MD)No.21557 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **30.11.2023**

CORAM:

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

CrI.O.P.(MD) No.21557 of 2023

M.Hariharan

... Petitioner/5th Accused

Vs.

1.The Inspector of Police,
B1 Town Police Station,
Ramanathapuram District.
(Crime No.346 of 2010)

...1st Respondent/Complainant

2.Madhan

...2nd Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the impugned FIR in Cr.No.346 of 2010 on the file of the first respondent Police Station and quash the same as it has no prima facie case in so far as against the petitioner is concerned.

For Petitioner : Mr.R.Murugan

For R1 : Mr.R.M.Anbunithi
Additional Public Prosecutor (CrI.side)



ORDER

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This petition has been filed seeking to quash the impugned FIR in Crime No.346 of 2010 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.346 of 2010 for the offences punishable under Sections 147, 294(b), 323 and 506(i) IPC against the petitioner. The grievance of the petitioner is that though the case was registered in the year 2010, so far no final report has been filed before the concerned Court.

3.The learned Additional Public Prosecutor (Crl.side) 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 13 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.



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5.This criminal original petition is allowed and the FIR in Crime

No.346 of 2010 on the file of the respondent Police is hereby quashed.

30.11.2023

Index : Yes/No

Internet : Yes/No

Indu

To

1.The Inspector of Police,
B1 Town Police Station,
Ramanathapuram District.

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



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G.ILANGOVAN. J.

Indu

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