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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.12.2023

CORAM:

THE HON'BLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P(MD).No.21991 of 2023

and

Crl.M.P(MD) No. 17209 of 2023

Abdul Malik

... Petitioner

Vs.

1.The Inspector of Police,
TIW-1 Police Station,
Madurai City,
Madurai District.
(Crime.No.67/2017)

2.Sanmugarajan

... Respondents

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to pass an order calling for the records in Crime No.67/2017 on the file of the R1 TIW-1, Police Station, Madurai City, Madurai District and quash the same.

For Petitioner : Mr.SC.Herold Singh

For R-1 : Mr.R.M.Anbunithi
Addl.Public Prosecutor(Crl.side)

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to quash the FIR in Crime No.67 of 2017 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 2nd respondent, the 1st respondent registered the First Information Report in Crime No.67 of 2017 for the offences punishable under Sections 279 and 304(A) of IPC against the petitioner. The grievance of the petitioner is that though the case was registered in the year 2017, 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. 67 of 2017 on the file of the respondent police is hereby quashed. Consequently connected miscellaneous petition is closed.

06.12.2023

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



To;

WEB COPY

1. The Inspector of Police,
TIW-1 Police Station,
Madurai City, Madurai District.
2. The Additional Public Prosecutor
Madurai Bench of Madras High Court.



G.ILANGOVAN, J.

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CrI.O.P(MD) No. 21991 of 2023