



WEB COPY

Crl.O.P.(MD)No.21657 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:01.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**

Crl.O.P.(MD)No.21657 of 2023

and

Crl.M.P.(MD).No.16928 of 2023

1.Ramasamy

2.Panju @ Panchavarnam

... Petitioners

Vs.

1. State rep by

The Inspector of Police,
Vadipatti Police Station,
Madurai District.
In Crime No.99 of 2018.

2.Muthu Lakshmi

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the First Information report in Crime No.99 of 2018 alleged offence under sections 294(b), 323 of IPC and Section 4 of TNPHW Act on the file of the 1st respondent police and quash the same.



For Petitioners : Mr.M.Maran
For R1 : Mr.M.Sakthi Kumar
Government Advocate (crl.side)

ORDER

This petition has been filed seeking to quash the impugned FIR in Crime No.99 of 2018 on the file of the 1st respondent police.

2.The contention of the petitioners is that based on the complaint lodged by the 2nd respondent, the 1st respondent registered the First Information Report in Crime No.99 of 2018 for the offences punishable under Sections 294(b) and 323 of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, against the petitioners. The grievance of the petitioners is that though the case was registered in the year 2018, so far no final report has been filed before the concerned Court.

3. The learned Government Advocate(crl.side) appearing for the first respondent would submit that on verification with the Investigating Officer, it is revealed that so far no final report has been presented before the concerned Court.



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4. Heard both sides.

5. It is seen from the records that occurrence took place on 23.03.2018 and till now no Final Report has been filed. Also a petition seeking extension of time under Section 473 Cr.P.C., has also not been filed before the concerned Court.

6. Considering the nature of offence made out against the petitioners, this Court is of the view that since even after a lapse of 5 ½ 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.

7. Accordingly, this criminal original petition is allowed and the FIR in Crime No.99 of 2018 on the file of the first respondent police is hereby quashed as against the petitioners herein. Consequently, connected miscellaneous petition is closed.

01.12.2023

Index : Yes/No
Internet : Yes/No
cp



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To

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



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G.ILANGOVAN. J.

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