



Crl.O.P.(MD)No.22940 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 20.12.2023

CORAM:

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

Crl.O.P.(MD) No.22940 of 2023
and Crl.M.P.(MD).No.17912 of 2023

Malarvannan

... Petitioner/Sole Accused

Vs.

1.The State rep. by
The Inspector of Police,
Vadipatti Police Station,
Madurai District.
(Crime No.596 of 2017)

... 1st Respondent/Complainant

2.K.Kubendran

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records in Crime No.596 of 2017 on the file of the 1st respondent police and quash the same.

For petitioner : Mr.V.Santhakumaresan

For Respondents : Mr.R.M.Anbunithi for R1
Additional Public Prosecutor

ORDER

This criminal original petition has been filed seeking to quash the FIR in Crime No.596 of 2017 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.596 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 Government Advocate (Crl. Side) submitted that investigation in this case has been completed and final report was also made ready, but, it 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 7 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.596 of 2017 on the file of the respondent police is hereby quashed.



CrI.O.P.(MD)No.22940 of 2023

Consequently, connected miscellaneous petition is closed.

WEB COPY

20.12.2023

Index : Yes/No

Internet : Yes/No

TM

To

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



WEB COPY



Crl.O.P.(MD)No.22940 of 2023

G.ILANGO VAN. J.

TM

Crl.O.P.(MD)No.22940 of 2023

20.12.2023