



WEB COPY



Crl.O.P.(MD)No.23211 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.12.2023**

CORAM:

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

Crl.O.P.(MD) No.23211 of 2023

and

Crl.M.P(MD) No.18061 of 2023

Haroonrasith

... Petitioner / Accused
Rank Not Known

Vs.

The Sub-Inspector of Police,
Cumbum North Police Station,
Theni District,
Crime No.759 of 2021.

...Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the FIR in Crime No.759 of 2021 dated 19.12.2021 on the file of the respondent Police and quash the same in so far as the petitioner.

For petitioner : Mr.Thilagavathi.S
For R1 : Mr.R.M.Anbunithi,
Additional Public Prosecutor (Crl.Side)

ORDER

This petition has been filed seeking to quash the impugned FIR in Crime No.759 of 2021 on the file of the respondent police.



Crl.O.P.(MD)No.23211 of 2023

2.The contention of the petitioner is that based on the complaint lodged by one Kalaichelvan, the 1st respondent registered the First Information Report in Crime No.759 of 2021 for the offences punishable under Sections 143, 269, 291 IPC against the petitioner. The grievance of the petitioner is that though the case was registered in the year 2021, so far no final report has been filed before the concerned Court.

3.The learned Government Advocate (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 2 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.759 of 2021 on the file of the respondent police is hereby quashed. Consequently, connected Miscellaneous Petition is closed.

21.12.2023

Index : Yes/No
Internet : Yes/No
Indu



Crl.O.P.(MD)No.23211 of 2023

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To

- 1.The Sub-Inspector of Police,
Cumbum North Police Station,
Theni 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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