



CrI.O.P.(MD)No.23349 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.12.2023

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

CrI.O.P.(MD)No.23349 of 2023

and

CrI.M.P(MD)No.18132 of 2023

Ponraj

... Petitioner / Sole Accused

Vs.

1.The State rep. by
The Inspector of Police,
IPREC,
Tirunelveli District.
(Crime No.6 of 2020)

2.Kumar

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for records in Crime No.6 of 2020 pending investigation on the file of the 1st respondent police and quash the same as against the petitioner.

For Petitioner : Mr.P.Suresh

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



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ORDER

This petition has been filed seeking to quash the impugned FIR in Crime No.6 of 2020 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.6 of 2020 for the offences punishable under Sections 15(3) of Tamil Nadu Exhibition of Film on TV-VCR & Cable TV Reg. Act, 1984 and Sections 51(a)(ii) and 63(a) of Copy Right Act, 1957 against the petitioner. The grievance of the petitioner is that though the case was registered in the year 2020, so far no final report has been filed before the concerned Court.

3. The learned Additional Public Prosecutor 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.

4. Heard both sides.



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5. It is seen from the records that occurrence took place on 15.12.2019 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 petitioner, this Court is of the view that since even after a lapse of nearly 4 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. This criminal original petition is allowed and the FIR in Crime No.6 of 2020 on the file of the respondent police is hereby quashed as against the petitioner herein. Consequently, connected miscellaneous petition stands closed.

22.12.2023

NCC : Yes / No
Index : Yes/No
Internet:Yes/No

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G.ILANGO VAN, J.,

pnn

To,

- 1.The Inspector of Police, IPREC, Tirunelveli District.
(Crime No.6 of 2020)
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.(MD)No.23349 of 2023
and
Crl.M.P(MD)No.18132 of 2023

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