



WEB COPY



1

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.4405 of 2024
and CrI.M.P No.3222 of 2024

Thiruna @ Thirunavukarasu

Petitioner

vs.

1.State Rep. by: The Inspector of Police,
Ice House Police Station,
Chennai.
Crime No.806 of 2016

2.Ravindranath

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the FIR in Crime No.806 of 2016 on the file of the 1st Respondent Police.

For Petitioner : Ms.S.Priyadarshini

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor
for R1

ORDER

This criminal original petition has been filed to quash the FIR in Crime No.806 of 2016 pending investigation on the file of the 1st respondent police.



2.The case of the prosecution is that the petitioner prevented the *defacto* complainant from campaigning and expressing his support for the AIADMK party and that the petitioner also caused life threat to the *defacto* complainant and directed him not to support the opposite party. Based on this complaint, an FIR came to be registered in Crime No.806 of 2016 and it is pending investigation till date before the 1st respondent. The same has been put to challenge in the present criminal original petition.

3.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the 1st respondent.

4.In the considered view of this Court, a careful reading of the contents of the FIR shows that only an offence under Sections 341 and 506(i) of IPC has been made out. The same is punishable with a maximum imprisonment of two years. Till date, the investigation has not been completed. There is bar under Section 468(2)(c) of Cr.P.C., and since the final report has not been filed for nearly seven years, the same will be barred under Section 468 of Cr.P.C. The facts of the present case does not warrant exercising jurisdiction under Section 473 of Cr.P.C.

5.In the light of the above discussion, no useful purpose will be served in



keeping the investigation pending and accordingly, FIR in Crime No. 806 of 2016, pending on the file of the 1st respondent police, is hereby quashed.

6.This criminal original petition stands allowed. Consequently, connected miscellaneous petition is closed.

26.02.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
ssr

To

1.The Inspector of Police,
Ice House Police Station,
Chennai.

2.The Public Prosecutor,
High Court, Madras.



WEB COPY



4

N. ANAND VENKATESH, J.

SSR

**Crl.O.P No.4405 of 2024
and Crl.M.P No.3222 of 2024**

26.02.2024