



CrI.O.P.No.10858 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CrI.O.P.No.10858 of 2024
& CrI.M.P.No.7420 of 2024

1. Mohanraj.

2. Hariraj.

... Petitioners/A1 & A2

/versus/

1. State Rep. by,

The Inspector of Police,
Kangayam Police Station,
Tiruppur District.
(Crime No.243 of 2014).

... Respondent/Complainant

2. Sadasivam.

... 2nd Respondent/Defacto complainant

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records and quash the proceedings against the petitioner/accused in Crime No.243 of 2014 dated 04.06.2023 pending on the file of 1st respondent police.

For Petitioners : Mr.M.Vignesh

For R1 : Mr.S.Udaya Kumar
Government Advocate (CrI.Side)

ORDER



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This Criminal Original Petition is filed to quash the complaint registered in Crime No.243 of 2014 dated 04.06.2014.

2. A complaint been registered for the offences under Section 341, 324 and 506(ii) of I.P.C against two persons who are the petitioners herein stating that, even after 10 years, final report not yet filed since it is a complaint given by maternal uncle of the accused persons out of personal enmity and family dispute without any truth.

3. The Learned Government Advocate (CrI.Side) appearing for the 1st respondent on verifying the record states that the investigation was completed and final report was filed on 17.06.2017, however, same was returned for certain defects and thereafter not been represented. Taking note of the complaint and the proposed Sections of offence mentioned in F.I.R, this Court is of the view that even after 10 years of the occurrence, the police has not completed their investigation and file proper final report hence, keeping the same pending will be against the interest of justice.



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4. Hence, considering the nature of the offence and prolonged delay in completing the investigation, this Court is of the view that the petitioners are entitled to take umbrage under Section 468 of Cr.P.C.

5. Accordingly, the Criminal Original Petition is allowed. Consequently, connected Miscellaneous Petition is closed.

03.06.2024

Index : Yes/No.

Neutral Citation : Yes/No.

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Copy to

1. The Inspector of Police, Kangayam Police Station, Tiruppur District.
2. The Public Prosecutor, High Court of Madras, Chennai.

Dr.G.JAYACHANDRAN,J.



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