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Crl.O.P.No.20883 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No. 20883 of 2024

1. Premdoss
2. Murugesan
3. Subramanian
4. Prabhu
5. Suresh

... Petitioners

Vs.

1. State represented by
Station House Officer,
Gingee Police Station
Gingee Taluk, Villupuram District.

2. Vimala

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to call for the records relating to First Information Report in Crime No.100 of 2011 on the file of the 1st respondent and quash the same.

For Petitioners : Mr.I.Rathinavel

For Respondents : Mr.K.M.D.Muhilan
Government Advocate (Crl.Side)
for R1



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ORDER

This Criminal Original Petition is filed to quash the F.I.R in Crime No.100 of 2011 dated 03.03.2011.

2. Learned counsel appearing for the petitioners submits that F.I.R was registered for the offences under Sections 147, 148, 294, 323, 324 and 506 (ii) of IPC are liable to be quashed on the short ground that the offences for which the case has been registered, are punishable for a period of less than three years. The F.I.R has not culminated in filing of the final report till date.

3. Regarding Sections 323 and 324 IPC, the learned counsel appearing for the petitioners submits that the allegation of causing hurt as found in the F.I.R, has no material evidence. The complaint given by the petitioners regarding the same transaction as a counter complaint and it has also not acted upon by the first respondent-Police.

4. Learned Government Advocate (CrI.Side) appearing for the first



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respondent-Police on perusing the C.D. file, submits that the Investigating Officer sought for wound certificate from the concerned hospital and he could not get the wound certificate and therefore, final report has not yet been filed.

5. Taking into consideration the facts of the case and unexplained delay in filing the final report which is hopelessly barred by limitation under Section 468 Cr.P.C., this petition to quash the F.I.R. in Crime No.100 of 2011 is allowed.

13.09.2024

Index: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
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To

1. The Station House Officer,
Gingee Police Station
Gingee Taluk, Villupuram District.
2. The Public Prosecutor,
High Court, Madras.



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Dr.G.JAYACHANDRAN, J.

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