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Crl. O.P.No. 24206 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :01.10.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.OP.No.24206 of 2024

Manibharathi

.. Petitioner

Vs.

The State
Rep by Inspector of Police,
Jayankondam Police Station,
Ariyalur District.

.. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C to call for the entire records related to FIR in Cr.No.958 of 2020 dated 02.09.2020 registered by the respondent and quash the same with respect to the petitioners.

For Petitioner : Mr.P.Parthikannan

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

ORDER

This petition is filed to quash the Cr.No.958 of 2020 registered on 02.09.2020 for alleged offence under Sections 279 and 337 of IPC.



Crl. O.P.No. 24206 of 2024

2. It is a case of motor accident and alleged to have been happened on 02.09.2020 at 05.30 a.m., two motor vehicles i.e., TVS Super XL unregistered and Bajaj Discover bearing Regn.No.TN-61-C-8892 colluded with each other causing grievous injury to the rider of the TVS Super XL. The petitioner /the rider of Bajaj Discover shown as accused is before this Court to quash the complaint on the ground that the complainant vehicle TVS Super XL not been subjected to motor vehicle inspection and the said defacto complainant also died on 2022 due to ill health. Till date, final report not filed. Therefore, to be quashed on the ground of limitation prescribed under Section 468 of Cr.P.C.

3. The learned Government Advocate (Crl.Side) appearing for the respondent police submits that the investigation almost completed, but the Motor Vehicle Inspector's report of the complainant's vehicle not yet received.

4. This Court after considering the nature of the complaint and the enormous delay in completing the investigation and taking note of the fact that the punishment of imprisonment which may extend to six months or with fine which may extend to Rs.1000/- or with both (Section



Crl. O.P.No. 24206 of 2024

279 of IPC) and punishment of imprisonment which may extend to 6 months or with fine which may extend to Rs.500/- or with both (Section 337 IPC).

5. As far as limitation prescribed under Section 468 of Cr.P.C, the time prescribed/the limitation prescribed for taking cognizance of offences which is punishable with imprisonment for a term not exceeding one year since more than three years had passed from the date of registering the FIR and cognizance not taken, it is a appropriate case, to quash the FIR on the ground of limitation.

6. In the result, this Criminal Original Petition is allowed.
Cr.No.958 of 2022 on the file of 1st respondent police stands quashed.

01.10.2024

Vv

To

1. The Inspector of Police,
Jayankondam Police Station,
Ariyalur District.
2. The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN,J.

Vv

CrI.OP.No.24206 of 2024

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