



Crl.O.P.No.26131 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2024

CORAM

THE HONOURABLE Dr.JUSTICE **G.JAYACHANDRAN**

Crl.O.P.No.26131 of 2024

and

Crl.M.P.No.14615 of 2024

Siddharth Kurian Jacob

... Petitioner

Vs.

1.The State Rep by its,
The Inspector of Police
TIW - Chrompet Police Station,
Chennai.
(Cr.No.579 of 2016)

2.K.Ramji

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 BNSS, pleaded to Call for the entire records related to FIR in Crime No.579 of 2016 dated 21.09.2016 registered by the Respondent and quash the same.

For Petitioner : Mr.Abudukumar Rajarathinam,
Senior counsel for
Ms.Vijayalakshmi K.Rajarathinam

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

ORDER

This Criminal Original Petition is filed to quash the complaint registered in Crime No.579 of 2016 dated 21.09.2016 for offence under



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Section 279 & 304(A) of IPC.

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2. The learned counsel appearing for the petitioner submits that the motor accident case, wherein, the petitioner been shown as accused for he being the driver of the Hyundai car. Though the case was registered on 21.09.2016, the respondent police has not filed the final report on completion of investigation and as on date the offence cannot be taken cognizance, since the limitation for the alleged offence prescribed has expired. Section 468 Cr.P.C., prescribes 3 years limitation for offence which could be punishable to an extent of 3 years. The punishment prescribed for offence under Section 279 IPC is imprisonment upto 6 months and punishment prescribed for offence under Section 304(A) IPC is imprisonment upto 2 years.

3. The limitation to take cognizance of these two offences had lapsed long back. Hence the petition to quash is allowed. Accordingly, this Criminal Original Petition is allowed. As a result, FIR stands quash. Consequently, the connected Criminal Miscellaneous Petition is closed.

23.10.2024

rpl



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To

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1.The Inspector of Police
TIW - Chrompet Police Station,
Chennai.

2.The Public Prosecutor,
High Court of Madras,
Chennai.



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Dr.G.JAYACHANDRAN,J.

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