



CrI.O.P.(MD)No.3885 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 10.06.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrI.O.P.(MD)No.3885 of 2024

and

CrI.M.P.(MD)No.3084 of 2024

Surya

... Petitioner

Vs.

State rep. by

The Inspector of Police

Kenikarai Police Station,

Ramanthapuram District.

In Crime No.418 of 2023.

... Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to quash the F.I.R in Crime No.418 of 2023 on the file of the Kenikarai Police Station, Ramanathapuram District.

For Petitioner : Mr.R.Balamuruganantham

For Respondent : Mr.P.Kottai Chamy
Government Advocate (CrI.Side)

ORDER

The petitioner has filed this Petition to to quash the F.I.R in Crime No. 418 of 2023 on the file of the respondent police.



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2. The respondent police has registered a case in Crime No.418 of 2023 for the offence under Section 12 of the Tamil Nadu Gaming Act, 1930 as against the petitioner and others. The petitioner has filed this application to quash the F.I.R in Crime No.418 of 2023 pending as against him.

3. The learned counsel for the petitioner has raised ground on limitation under Section 468 Cr.P.C and also relied on a judgment of this Court in ***Crl.O.P.(MD)No.21818 of 2022 [Prabhuraj @ Praburaj V.Inspector of Police, Melur Police Station, Madurai], dated 06.02.2023.***

4. The learned Government Advocate (Crl.Side) submits that the investigation in Crime No.418 of 2023 has already been completed and final report has also been filed through E-filing on 05.06.2024 before the Judicial Magistrate No.II, Ramanathapuram.

5. The learned counsel for the petitioner submits that the respondent police though registered the case in Crime No.418 of 2023, they have not even sent the F.I.R to the Court and has filed a final report in a hurried manner, ie. after filing of this quash application. Quash application was filed on 08.03.2024. This Court while entertaining this application has also suggested the petitioner to produce some judgments in support of his



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contention. Therefore, this case was adjourned. Taking advantage of the same, the respondent police has filed the final report.

6. This Court considered the rival submissions made.

7. The petitioner is raising several grounds in support of his application. However, he has filed this application at the stage of F.I.R. Now, the respondent police have filed the final report. Therefore, this petition is closed with liberty to the petitioner to challenge the final report in the manner known to law and also to raise all the grounds before the trial Court.

8. Though the respondent police has stated that the final report has been filed on 05.06.2024, till date the same has not been taken on file. It is also the responsibility of the investigating agency to ensure that the final report is taken on file by the Court within a particular time. The learned Judicial Magistrate No.II, Ramanathapuram, is directed to take cognizance of the case within a period of two weeks from the date of receipt of copy of this order. Consequently, connected Miscellaneous Petition is closed.

Index : Yes/No
NCC : Yes/No
LS

10.06.2024



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B.PUGALENDHI,J

LS

To

- 1.The Judicial Magistrate No.II,
Ramanathapuram.
2. The Inspector of Police
Kenikarai Police Station,
Ramanthapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.3885 of 2024

10.06.2024