



Crl.O.P.(MD)No.12933 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.02.2024

CORAM

**THE HON'BLE MR.JUSTICE M.DHANDAPANI**

Crl.O.P.(MD)No.12933 of 2022  
and  
Crl.M.P.(MD)No.8208 of 2022

1.M.Suresh Kumar

2.Kannan

3.Maharaja

... Petitioners

Vs.

1.The State rep.by  
The Inspector of Police,  
Moolakaraipatty Police Station,  
Tirunelveli District.  
(Crime No.159 of 2021)

2.Alwar

... Respondents

**PRAYER :** Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in pursuant to FIR in Cr.No.159 of 2021 pending on the file of the first respondent Police and quash the same so far as the petitioners are concerned.



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For Petitioner : Mr.P.Veerapandi

For R1 : Mr.S.Manikandan,  
Government Advocate (Crl. Side)

### **ORDER**

This Criminal Original Petition has been filed to quash FIR in Cr.No.159 of 2021 pending on the file of the first respondent Police.

2.Today, when the matter is taken up for hearing, the learned counsel appearing for the petitioners submitted that already this Court quashed the impugned FIR in Cr.No.159 of 2021 so far as A16 is concerned, on the ground that even after a lapse of two years, final report has not been filed before the concerned Court, which is barred by limitation under Section 468 Cr.P.C., vide order made in Crl.O.P. (MD)N0.6924 of 2023 dated 17.04.2023. Therefore, he prayed to quash the impugned FIR insofar as the petitioners herein concerned.



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3.The learned Government Advocate(Crl.side) appearing for the first respondent Police fairly admitted the fact that this Court quashed the impugned FIR insofar as A16 is concerned and prayed to pass appropriate orders.

4.Considering the fact that this Court already quashed the impugned FIR as against the co-accused on the ground that after a lapse of two years, final report has not been filed before the concerned Court, which is barred by limitation under Section 468 Cr.P.C., the same benefit is extended to the petitioners herein also. Accordingly, the impugned FIR in Cr.No.159 of 2021 is quashed insofar as the petitioners herein concerned.

5.In the result, this criminal original petition is allowed. Consequently, connected miscellaneous petition is closed.

**29.02.2024**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes / No  
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**M.DHANDAPANI,J.**

gns

To

- 1.The Inspector of Police,  
Moolakaraipatty Police Station,  
Tirunelveli District.
- 2.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

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