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Crl.O.P.No.10631 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.10631 of 2025

Nelson

... Petitioner

Vs

1. The State,
The Inspector of Police,
Sriperumbudur Police Station,
Kancheepuram District.
Cr.No.456 of 2012.

2. D.Sasikumar

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C/ Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records and quash the First Information Report in Cr.No.456 of 2012 pending on the file of Sriperumbudur Police Station, Villupuram District.

For Petitioner	: Mr.Krishnasamy Chinnasamy
For R1	: Mr.R.Vinothraja
	Government Advocate (Crl.side)

ORDER

This petition has been filed to quash the First Information Report in Cr.No.456 of 2012 on the file of the first respondent.



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2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the first respondent and perused the materials placed on record.

3. On the complaint lodged by the defacto complainant, the first respondent registered FIR in Crime No.456 of 2012 for the offences punishable under Sections 294(b), 506(ii) and 324 of IPC. It has been registered in the year 2012. Even till today, the respondent failed to file a final report.

4. The maximum punishment for the above said offences is only three years. Therefore, the Trial Court cannot take cognizance beyond three years from the registration of FIR for those offences. Further, there is absolutely no explanation from the prosecution for not filing the final report so far. Therefore on this sole ground, the impugned FIR cannot be sustained as against the petitioner. Further, there is no bad antecedents as against the petitioner.

5. Considering the above facts and circumstances of the case, merely keeping the FIR pending would not serve any purpose and it is liable to be quashed. Accordingly, the FIR in Crime No.456 of 2012, on the file of the first respondent is hereby quashed.



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6. Accordingly, this Criminal Original Petition is allowed.

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Internet: Yes

Index: Yes/No

Speaking/Non speaking order

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G.K.ILANTHIRAIYAN. J.

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To

1. The Inspector of Police,
Sriperumbudur Police Station,
Kancheepuram District.
2. The Public Prosecutor,
High Court, Madras.

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