



Crl.O.P.(MD)No.1979 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :12.02.2025

CORAM :

THE HON'BLE MR.JUSTICE P. DHANABAL

Crl.O.P.(MD)No.1979 of 2025

and

Crl.M.P.(MD)No.1356 of 2025

Karthi

... Petitioner

Vs

State represented by,
The Inspector of Police,
Puthanatham Police Station,
Trichy District.
(Crime No.158 of 2022)

... Respondent

Prayer : Criminal Original Petition filed under Section 528 of BNSS, 2023, to call for the records pertaining to the First Information Report in Crime No.158 of 2022 on the file of the first respondent police and quash the same so far as this petitioner/A18 concern.

For Petitioner : Mr.P.Vetrivel

For Respondent : Mr.M.Sakthi Kumar
Government Advocate (Crl. side)



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ORDER

This criminal original petition has been filed by the petitioner to quash the FIR in Crime No.158 of 2022 on the file of the 1st respondent police.

2. According to the petitioner, he is the accused in Crime No.158 of 2022 on the file of the 1st respondent police for the offences punishable under Section 160 of IPC. FIR has been registered on 08.12.2022 but no charge sheet has been filed so far. Therefore, the case is barred by limitation as per Sub-section (2) to Section 468 of CRPC. Therefore, the pending FIR is liable to be quashed.

3. The learned Additional Public Prosecutor (Criminal Side) appearing for the respondent would submit that already the learned Magistrate has issued notice to the defacto complainant and the same is pending before the Magistrate Court for closure of the complaint. Therefore, the present case is liable to be dismissed.



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4. Since already the learned Magistrate has dealt with the matter and issued notice to close the case, this Court cannot interfere with the matter and to pass orders. Therefore, it is for the petitioner to wait till the learned Magistrate to pass orders. However, liberty is granted to the petitioner to file a fresh petition, in the event of being aggrieved by the order that may be passed by the learned Magistrate.

5. With the above said liberty, this petition is closed. No costs. Consequently, connected miscellaneous petition is closed.

12.02.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes

rgm



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P. DHANABAL, J.

rgm

To

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