



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-08-2026

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THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.O.P.No.21945 of 2026

Jayaprakash

..Petitioner(s)

Vs

1.The Inspector of Police,
Panruti Police Station,
Cuddalore District.

2.Punithavathi Ammal (Died on 20.06.2023)

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 528 of BNSS, to call for the records in Crime No.167 of 2006 on the file of the Respondent herein and quash the same in so far as the Petitioner is concerned.

For Petitioner(s):

Mr.S.Nagarajan

For Respondent(s):

Mr.M.Mohamed Riyaz

Government Advocate (Criminal Side)
for R1

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.167 of 2006 on the file of the respondent police.

2. A perusal of the FIR reveals that the defacto complainant, named Punithavathi Ammal (who has since died), had given a detailed complaint detailing about their partnership business and how the other partners



periodically cheated her, amassed wealth and misappropriated the money by failing to properly account for it. The occurrence is said to have happened during the years 2004 and 2005, and the complaint was lodged on 15.11.2005. Now, 21 years have passed and the FIR is still kept pending.

3. It is submitted by the learned counsel for the petitioner that the defacto complainant had also died on 20.06.2023. It is further submitted that there are no other legal heirs for the defacto complainant. Under the said circumstances, the question of issuing a notice in this Criminal Original Petition to anybody else does not arise.

4. Considering the nature of the offence arising out of a partnership business and the fact that 21 years have gone by, continuing the investigation further would be oppressive against the petitioner, who are the accused in the case. Secondly, it is neither feasible for the investigating authority to collect any materials, nor the accused will be in a position to effectively defend themselves. An opportunity for a fair Trial will also be unavailable. As such, this is a case where the Court can conclude that the continuation of the investigation and the filing of a final report, if any, would violate the right to a speedy trial of the accused, as it would be impossible for them to recollect specific instances to safeguard themselves against the charges in view of the efflux of time.



5. If any bank account has been frozen, a letter shall be issued by the respondent police to the concerned bank to defreeze the same.

6. In view thereof, the FIR in Crime No.167 of 2006 stands quashed. Accordingly, this Criminal Original Petition stands allowed.

07-08-2026

Neutral Citation: Yes/No
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To

1.The Inspector of Police,
Panruti Police Station,
Cuddalore District.

2.The Public Prosecutor,
Madras High Court.



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CRL OP No. 21945 of 2



D.BHARATHA CHAKRAVARTHY, J.

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