



Crl.O.P.(MD)No.12912 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 05.12.2025

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P.(MD)No.12912 of 2024

and

Crl.M.P.(MD)No.7948 of 2024

Ramesh

... Petitioner

Vs.

1.The State rep. by
The Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram District.
(Crime No.525 of 2014)

2.Rajeswari

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to call for the records pertaining to Crime No.525 of 2014 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.C.Senthil Murugan,
Advocate

For R1 : Mr.Thanga Aravindh.B,
Government Advocate (Criminal Side)



Crl.O.P.(MD)No.12912 of 2024

WEB COPY

ORDER

Seeking to quash the First Information Report in Crime No.525 of 2014 on the file of the first respondent, the present Criminal Original Petition has been filed.

2. The learned counsel for the petitioner submitted that the offences involved in the crime are alleged to have occurred as early as on 16.12.2014, i.e., nearly 11 years ago. Now, after a lapse of more than a decade, the first respondent cannot file a final report in view of the bar under Section 468 of the Code of Criminal Procedure.

3. Mr.Thanga Aravindh.B, learned Government Advocate (Criminal Side), submitted that even if there is a delay, the same can be condoned by filing a suitable application under Section 473 of the Cr.P.C. He further submitted that though the investigation was completed as early as in the year 2015, the final report was not filed before the jurisdictional Magistrate, which is the reason for the delay. However, he pressed for dismissal of the present petition.



Crl.O.P.(MD)No.12912 of 2024

WEB COPY

4. Heard the learned counsel appearing on either side and carefully perused the materials available on record.

5. Upon perusing the contents of the FIR, it is found that the FIR pertains to an incident which allegedly occurred about 11 years ago, wherein it is alleged that the petitioner herein abused the de-facto complainant in filthy language and assaulted her by hitting her on the mouth with his hand.

6. Upon careful perusal of the CD file produced before this Court today, it is revealed that the investigation was completed as early as on 12.06.2015 by one Gnanasekaraboss, Sub-Inspector of Police, Kenikkarai Police Station, Ramanathapuram District. It is further found that despite the order of this Court dated 08.08.2024, directing the respondent police not to file the final report, the respondent police proceeded to file the final report and obtained an e-filing number on 18.11.2025.

7. Taking note of the lethargy on the part of the respondent police in having failed to file the final report for more than a decade, this Court finds it necessary to quash the First Information Report in Crime No.525 of 2014. The



Crl.O.P.(MD)No.12912 of 2024

petitioner cannot be made to suffer the consequences of prosecution delay after a decade solely due to the dereliction of duty on the part of the first respondent.

8. Accordingly, the First Information Report in Crime No.525 of 2014 on the file of the first respondent police is hereby quashed, and this Criminal Original Petition is allowed. Consequently, the connected Criminal Miscellaneous Petition is closed.

05.12.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

1.The Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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Crl.O.P.(MD)No.12912 of 2024

L.VICTORIA GOWRI, J.

mn

Crl.O.P.(MD)No.12912 of 2024
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