



Crl.O.P.(MD)No.15208 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.09.2025

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.15208 of 2025

and

Crl.O.P.(MD).No.12361 of 2025

Rajesh Raja

... Petitioner

Vs.

1.State of Tamil Nadu, Represented by

The Inspector of Police,

Muthiahpuram Police Station,

Thoothukudi District.

Cr.No.94 of 2015

...Respondent

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records in Crime No. 94 of 2015 pending on the file of Muthaiyapuram Police Station, Thoothukudi and quash the same as against the petitioner herein who has been arrived as Accused No.4, as illegal very much against the spirit of the Police Standing Order which specifically put an embargo to the Respondent police to venture into the realm of civil overtures and pass such to venture into this Court.



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For Petitioner : Mr.W.Pamelin

For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This petition has been filed to quash the impugned F.I.R in Crime No. 94 of 2015, registered for the offence under Section 399 I.P.C.

2. The allegation in the F.I.R is that on 12.04.2015 at about 02.30 am, when the police party went near a shop, they overheard the conversation of the accused persons relating to a place to commit dacoity in which one of the accused stated about the plan.

3. The learned counsel for the petitioner would submit that the allegations are false; that the petitioners have no previous antecedents; that in any case, considering the delay in the investigation, the impugned F.I.R may be quashed as the long pendency of the F.I.R would violate the petitioner's right under Article 21 of the Constitution of India.



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4. The learned Additional Public Prosecutor, on instructions, would submit that though there are no previous cases of similar nature against the petitioner, there are two cases, which were registered under the Tamil Nadu Property (Prevention of Damage and Loss) Act and under Section 506(ii) I.P.C; that those two cases have already been disposed of. He would further fairly submit that there is no progress in the investigation.

5. The impugned F.I.R was registered in the year 2015. Admittedly, no investigation has been conducted by the respondent so far. No independent witnesses have been examined, except for the respondent police, who are stated to have overheard a conversation. It is not clear from the F.I.R as to which of the five accused had allegedly stated that they were planning to commit dacoity.

6. Admittedly, the petitioner is not involved in any other offence of similar in nature. The allegations in the F.I.R are very vague. Further, the investigation is pending for nearly ten years. Considering the delay in the investigation, the nature of allegations which besides being vague are inherently improbable, this Court is of the view that no useful purpose would be served in keeping the F.I.R pending for investigation.



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7. Accordingly, this Criminal Original Petition is allowed and the impugned F.I.R in Crime No.94 of 2015 on the file of the respondent, is hereby quashed. Consequently, connected Miscellaneous Petition is closed.

15.09.2025

NCC : Yes / No
Internet : Yes/ No
LS

To

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



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SUNDER MOHAN, J.

LS

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