



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.12.2021

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl OP(MD)No.19411 of 2021

and

Crl MP(MD)No.10837 of 2021

Perumal

... Petitioner/Sole Accused

vs.

The State,
Rep.by the Inspector of Police,
Thazhamuthunagar, Police Station,
Thoothukudi District.
(Crime No.307 of 2021)

... Respondents/Complainant

Prayer: Criminal Original Petition filed under Section 482 of Cr.Pc, to call for the records relating to the impugned FIR in Crime No.307 of 2021 pending on the file of the respondent police, quash the same.

For Petitioner : Mr.S.Vishnuvardhanan

For Respondents : Mr.T.Senthil Kumar,
Additional Public Prosecutor.

ORDER

This criminal original petition has been filed to quash the impugned FIR registered for the offence under Section 379 of IPC. According to the prosecution, the vehicle bearing Registration No.TN 41 AV 9592 was intercepted on 14.09.2021 carrying mined minerals without proper permission or documentation. The specific stand of the petitioner is that they had purchased Saral sand from the licensed supplier. When the matter was taken up on the last occasion, I directed the learned Additional Public Prosecutor to verify and confirm the statement.

2.Today, the learned Additional Public Prosecutor has produced a hand written statement obtained from the concerned supplier on 14.09.2021. The seized material was very much supplied by the said supplier. The value of the mineral is also Rs.10,000/-. Since the information gathered by the respondent police reveals that the petitioner was quarrying the sand in question with a valid license and document, the registration of the impugned FIR is not proper. The same stands quashed. The respondent is directed to release the aforesaid vehicle to the petitioner forthwith and without any delay.



3.This criminal original petition stands allowed.
Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CRL SIDE)

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// True Copy //

/ /2021

Sub Assistant Registrar (CS-IV)

skm

Note :In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

- 1.The Inspector of Police,
Thazhamuthunagar,
Thoothukudi District.
- 2.The Additional Public Prosecutore,
Madurai Bench of Madras High Court, Madurai.

Crl OP(MD)No.19411 of 2021 and
Crl MP(MD)No.10837 of 2021
17.12.2021

MGJ (23.12.2021) 2P 3C