



Crl.O.P.No.17951 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.17951 of 2022

and

Crl.M.P.No.11908 of 2022

1.M.Sasikumar

2.A.Parthipan

... Petitioners

Vs.

1.The State rep.by

The Inspector of Police,
Appakoodal Police Station,
Erode District.

(Crime No.224 of 2018)

2.Arulmani

Village Administrative Officer,
No.16, Keelvani Village,
Anthiyur (Taluk),
Erode District.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to call for the records in pursuant to the impugned Charge Sheet in Special C.C.No.3 of 2022 dated 09.02.2019 on the file of the learned District Court, Erode and quash the same.

For Petitioners : No appearance

For R1 : Mr.S.Udaya Kumar
Government Advocate (Crl.Side)



ORDER

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This Criminal Original Petition is filed to quash the case in Spl.C.C.No.3 of 2022 for the offence under Section 379 IPC and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957.

2. The 2nd petitioner being the driver of the vehicle in which the minerals was illicitly transported, alleges that a false complaint has been registered against them and therefore, it is to be quashed.

3. The learned Government Advocate (Crl.Side) appearing for the State submits that the river sand in 20 bags each 25 kg were illicitly transported in Omni car bearing registration No. TN 28 AE 8904. The vehicle and the river sand were seized and they are part of the case materials. The plea of the petitioner to quash the complaint does not have any merit. Hence liable to be dismissed.

4. There is no representation for the petitioner for the second hearing consecutively. From reading the material collected by the



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prosecution and placed before the Court taking cognizance indicates that the petitioner have committed the alleged offence and the same has to be tried in the manner known to law. Hence, this Criminal Original Petition is dismissed. Consequently, the connected Criminal Miscellaneous Petitions is also dismissed.

20.11.2023

Neutral Citation : Yes/No
rpl

To

- 1.The District Court, Erode.
- 2.The Inspector of Police,
Appakoodal Police Station,
Erode District.
- 3.The Public Prosecutor,
High Court of Madras,
Chennai.



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Dr.G.JAYACHANDRAN, J.

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