



Crl.O.P.No.33683 of 201

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.06.2023

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.33683 of 2019

and

Crl.M.P.No.18579 of 2019

M.Rajkumar

...Petitioner/Accused No.2

Vs.

The State rep. By

The Sub - Inspector of Police,

Tiruvennainallur Police Station,

Villupuram District.

Cr.No.731/2019.

... Respondent/Complainant

PRAYER: Criminal Original Petition has been filed under Section 482 of the Criminal Procedure Code, to call for the records relating to the First Information Report in Cr.No.731/2019 on the file of the respondent herein, quash the same in so far it relates to the petitioner herein.

For Petitioners : Mr.G.Magesh Kumar

For Respondent : Mr.A.Damodaran

Additional Public Prosecutor



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ORDER

The petition is to quash the First Information Report for the alleged offences under Section 379 of Indian Penal Code, 1860 and Section 21 (1) of Mines and Minerals (Development and Regulation) Act, 1957.

2. It is alleged in the final report that the petitioner/A2 and other had illegally transported two units of river sand by using Ashok Leyland Cargo 909 vehicle bearing Registration No.TN 01 M 7672 without any permit. Hence, the complaint.

3. Heard both sides.

4. The points raised by the petitioner is factual in nature and hence, this quash petition cannot be entertained on the said points. Accordingly, the petition is liable to be dismissed.

5. In view of the above, the Criminal Original Petition stands dismissed. Consequently, the connected miscellaneous petitions are closed.

05.06.2023

dk



NCC: Yes/No

Index: Yes/No

Speaking/Non Speaking Order

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To

The Public Prosecutor
High Court of Madras
Chennai – 600 104.



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SUNDER MOHAN. J,
dk

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