



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.06.2023

CORAM:

THE HONOURABLE **MR. JUSTICE K.K.RAMAKRISHNAN**

CrI.O.P.(MD) No.10202 of 2021

and

CrI.MP(MD)No.5221 of 2021

Jeyamurugan

...Petitioner/Accused No.2

Vs.

1.State State represented by its,
The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
(Crime No.322 of 2021)

...1st Respondent/Complainant

2.The Assistant Geologist,
Geology and Mining,
Sivagangai District.

... 2nd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C.,
to call for the entire records in relating to impugned FIR in Crime No.322
of 2021 on the file of the 1st respondent police and to quash the same in
so far as the petitioner is concerned.

For Petitioner : Mr.M.S.Jeyakumar

For R1 : Mr.M.Muthumanikkam
Government Advocate (CrI.Side)

**ORDER**

This petition has been filed to quash the impugned FIR in Crime No.322 of 2021 on the file of the first respondent police.

2.The case of the prosecution is that on 10.06.2021, at about 11.00 a.m, when the second respondent was conducting usual check up, a lorry bearing Reg.No.TN-65-AX-1715 belongs to the petitioner was found transporting gravel sand without valid permit. Hence, a case was registered in Crime No. 322 of 2021 for the offence under Section 379 of IPC and Section 21(4) of Mines and Minerals (Development & Regulation) Act, 1957 against the petitioner and the other accused.

3.The learned Government Advocate (Crl.Side) would submit that there are totally two accused. The petitioner was arrayed as second accused. on the complaint given by the second respondent against the petitioner and the other accused, the first respondent police registered a case in Crime No.322 of 2021 for the alleged offences under Sections 379 of IPC and Section 21(4) of Mines and Minerals (Development & Regulation) Act, 1957. After completion of investigation, the case has been closed as “Action Dropped” and the Action Dropped Report is also



going to be filed before the concerned jurisdictional Magistrate by the Investigating Officer.

4. Since the case has been closed as “Action Dropped”, this Criminal Original Petition is closed. Consequently, the connected miscellaneous petition is closed.

23.06.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
dss

To

1. The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.K.RAMAKRISHNAN, J.

dss

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