



WEB COPY



Crl.O.P.No.9973 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2024

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.9973 of 2022

and

Crl.M.P.Nos.5905 & 5906 of 2022

N.Arivazhagan

... Petitioner

Vs.

State rep. By
The Inspector of Police
Kammapuram Police Station,
Virudhachalam,
Cuddalore District.
Crime No.702 of 2020

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., praying to call for the records and to quash the Final report against the petitioner by the respondent in PRC.No.69 of 2022 in Crime No.702 of 2020, pending on the file of the Inspector of Police, Kammapuram Police Station, Virudhachalam, Cuddalore District.

For Petitioner : Mr.M.Selvam

For Respondent : Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)

ORDER



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The petitioner has filed this petition to quash the PRC.No.69 of 202 on the file of the Inspector of Police, Kammapuram Police Station, Virudhachalam, Cuddalore District, for the offences punishable under Sections 379, 430 of IPC r/w 21(1) Mines and Minerals (Development and Regulation) Act, 1957.

2. The case of the prosecution is that the petitioner is alleged to have transported $\frac{1}{4}$ unit of river sand illegally. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he is no way connected with the alleged offence made by the prosecution. Hence, he prays to quash the FIR lodged against him.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner was illegally transported $\frac{1}{4}$ unit of river sand. He also submitted that there is no previous case pending against she petitioner. Based on the complaint lodged by the respondent, the case has been registered in Crime No.702 of 2020 for the offences under Sections



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379, 430 of IPC r/w 21(1) Mines and Minerals (Development and Regulation) Act.

5. Considering the facts and circumstance, that there is no bad antecedent against the petitioner and also there is no prima facie made against him and also there is no basic material evidence on the side of the prosecution, hence this Court is inclined to quash the FIR in Crime No.702 of 2020.

6. Accordingly, this Criminal Original Petition is allowed. Consequently, connected miscellaneous petitions are closed.

05.02.2024

Index: Yes/ No
Neutral Citation: Yes/No
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T.V.THAMILSELVI, J.

rri



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To
WEB COPY

1.The Inspector of Police
Kammapuram Police Station,
Virudhachalam,
Cuddalore District.
Crime No.702 of 2020

2.The Public Prosecutor,
High Court of Madras.

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