



Crl.O.P.No.7151 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No.7151 of 2024
and Crl.M.P.No.5205 of 2024

1.Tmt.P.Jothi

2.M.Perumal

... Petitioners

Vs.

1. The Inspector of Police,
Attur Town Police Station,
Attur Taluk,
Salem District.
(Cr.No.121 of 2019)

2. Rahohtman

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records relating to the FIR in Cr.No.121 of 2019 on the file of the 1st respondent and quash the same.

For Petitioners : Mr.V.Elagovan

For Respondents : Mr.K.M.D.Muhilan
Additional Public Prosecutor
(Criminal Side)
(For R1)



Crl.O.P.No.7151 of 2024

ORDER

WEB COPY The Criminal Original Petition has been filed to quash the FIR in Cr.No.121 of 2019 on the file of the 1st respondent.

2. The petitioners state that a case has been filed against them for the alleged offence of transporting sand from Government land in Cr.No.121 of 2019 under Sections 353, 379 IPC and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957. The allegation against the petitioners are that the 1st petitioner along with her husband, engaged private lorries and instructed them to load the sand. Except for this, no further specific allegations have been made. The F.I.R does not even indicate the nature or quantity of the minerals allegedly transported. Though the FIR is stated to have been lodged by the Village Administrative Officer, no valid reason or material has been shown to justify such a complaint.

3. The learned counsel for the petitioner also pointed out that the FIR in Crime No.121 of 2019 came to be registered only after the petitioner had filed Crl.OP.No.17592 of 2021, seeking Police protection and also a Contempt Petition in Contp.No.285 of 2020 against the Superintendent of Police and the Deputy Tahsildar on an earlier occasion. In fact, this Court



Crl.O.P.No.7151 of 2024

had dealt with the said issue in Contempt Petition No.285 of 2020.

WEB COPY

4. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor (Criminal Side) appearing for the first respondent and perused the materials available on record.

5. Considering the above facts, this Court is of the view that in the absence of any material in the F.I.R and also noting that the F.I.R pertains to the year 2019 and nearly six years have lapsed, this Court is of the view that continuation of the proceedings would be an abuse of process of law.

6. Hence, this Criminal Original Petition is allowed and the F.I.R in Cr.No.121 of 2019 on the file of the 1st respondent is quashed. Consequently, connected miscellaneous petition is closed.

09.10.2025

kak

Neutral Citation: Yes/No

To

1. The Inspector of Police,

3/5



Crl.O.P.No.7151 of 2024

Attur Town Police Station,
Attur Taluk,
Salem District.

2. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.7151 of 2024

N. SATHISH KUMAR, J.

kak

***Crl.O.P.No.7151 of 2024
and Crl.M.P.No.5205 of 2024***

09.10.2025