



Crl.O.P.No.4679 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

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M.Arumugam

..... Petitioner

Vs

The State represented by
The Inspector of Police,
Civil Supplies CID
Cuddalore.

..... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Code of Criminal Procedure, to call for the records relating to FIR No.340 of 2012 dated 19.12.2012 on the file of the respondent herein and quash the same.

For Petitioners : Mr.G.Rajkumar
For Respondent : Mr.K.M.D.Muhilan
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to quash FIR in Crime No.340 of 2012 registered for the offences under Section 6(4) 8 of TNSC RDCS Order 1982 r/w 7(i) a (ii) of EC Act, 1955.

2. Heard the learned counsel appearing on either side and perused the materials available on record.



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3. The respondent registered an FIR in Crime No.340 of 2012, alleging that on 19.12.2012, a team of officers from the Civil Supplies CID intercepted one Rahatha Bekara (A1) and 14 others at Villupuram Railway Station with 105 bags containing 5250 kgs of PDS rice. The rice was allegedly seized by the respondent police and the confession statement of A1 was recorded. Based on the said confession, the petitioner was implicated as an accused. Subsequently, the petitioner was granted anticipatory bail by the Principal Sessions Judge, Villupuram in CrI.M.P.NO.11640 of 2012, dated 04.01.2013.

4. It is seen from the records that the FIR was registered in the year 2012. However, to-date, the respondent has neither proceeded with the investigation nor has filed any final report. Originally, an FIR has been registered as against 16 accused persons, in which the petitioner is arrayed as A16. According to the FIR, A1 to A14 were found in possession of PDS rice and there are no other specific allegations as against the remaining accused. Only based on the confession statement of A1, the petitioner has been implicated as an accused.

5. That apart, there has been no complaint about the



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shortage or theft of PDS rice from the Shop No.10, situated at Villupuram, where the petitioner was employed at the time of alleged incident. There is absolutely no explanation by the respondent for the huge delay in completing the investigation. Even till today, no progress has been made in the investigation. Further, the confession statement of A1 is inadmissible under Section 25 of the Indian Evidence Act, since there was no recovery from the petitioner based on the confession statement of A1.

6. In view of the above, the impugned FIR in Crime No.340 of 2012, dated 19.12.2012 on the file of the respondent cannot be sustained and is liable to be quashed. Accordingly, it is hereby quashed as against all the accused persons and the Criminal Original Petition is allowed.

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Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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G.K.ILANTHIRAIYAN, J.



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1. The Inspector of Police,
Civil Supplies CID
Cuddalore.

2. The Public Prosecutor,
High Court, Madras.

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