



CRL OP(MD). No.2295 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 16.10.2025

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CRL.O.P.(MD)No.2295 of 2024

and

CrL.M.P.(MD)No.1757 of 2024

Anwar Raja @ Chinnasamy

... Petitioner

Vs.

1.The State through the Inspector of Police,
Saptur Police Station,
Madurai District.
In Crime No.75 of 2019.

2.B.Alagupandi

... Respondents

PRAYER :- Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records of FIR in Crime No.75



CRL OP(MD). No.2295 of 2024

of 2019 on the file of the first respondent police station and quash the same as illegal as against the petitioner.

For Petitioner : Mr.S.M.A.Jinnah

For Respondent No.1 : Mr.K.Sanjai Gandhi

Government Advocate [Crl. Side]

ORDER

The petitioner seeks quash of the impugned FIR registered for the offences under Sections 379 of IPC, r/w. Section 4(1)(1A) & 21(1) of the Mines & Minerals (Development & Regulation) Act, 1957, hereafter referred as Mines Act.

2.The allegation is that the petitioner along with other accused had committed theft of 1 unit of river sand in the vehicle belonging to the petitioner.

3.Learned Counsel for the petitioner would submit that the respondents have no jurisdiction to investigate the offences under the



CRL OP(MD). No.2295 of 2024

Mines Act and the Court can taken cognizance of those offences only on the complaint of the authorised officer; that the offence under Section 379 of IPC was registered in the year 2019 and since no final report has been filed so far, any final report that is filed now would be barred by limitation and therefore, no useful purpose will be served in keeping the impugned FIR pending investigation and sought for quashing the FIR.

4.The learned Government Advocate [Crl. Side] appearing for the respondent police fairly submitted that respondents have not filed final report so far and there is no justifiable reason for the delay and no other offences are made out on the allegations.

5.The respondents cannot file a final report for the offences under the Mines Act as the court can take cognizance of this offence only on the complaint of the authorised officer. The other offence is under Section 379 of IPC. The maximum punishment for the offence under Section 379 of IPC is three years. The respondents ought to have filed the final report within a period of three years from the date of the said offence which is said to have been committed on 22.05.2019. As fairly



CRL OP(MD). No.2295 of 2024

conceded by the learned Government Advocate [Crl. Side], the respondents have no justifiable reason for the delay in filing final report.

No other offence has also been made out against the petitioner.

Therefore, this Court is of the view that even if the respondent police are now permitted to file a final report for the offences under Section 379 of IPC, it would be barred by limitation. Hence, no useful purpose will be served in keeping the impugned FIR pending. Accordingly, the FIR in Crime No.75 of 2019 is quashed.

6.With the above observation, this Criminal Original Petition is allowed. Consequently, the connected miscellaneous petition is closed.

16.10.2025

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

MR



WEB COPY



CRL OP(MD). No.2295 of 2024

To

- 1.The Inspector of Police,
Saptur Police Station,
Madurai District.

- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CRL OP(MD). No.2295 of 2024

SUNDER MOHAN,J

MR

**ORDER
IN
CRL OP(MD) No.2295 of 2024**

Date : 16.10.2025