



Crl.O.P.(MD)No.13600 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 05.12.2025

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P.(MD)No.13600 of 2024

and

Crl.M.P.(MD)No.8433 of 2024

Selvam

... Petitioner

Vs.

1.State rep. by
The Inspector of Police,
Karaikudi North Police Station,
Sivagangai.
(Crime No.313 of 2023)

2.The Sub-Inspector of Police,
Karaikudi North Police Station,
Karaikudi,
Sivagangai.

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to call for the records pertaining to the First Information Report in Crime No.313 of 2023 on the file of the first respondent police and quash the same as illegal and abuse of process of law so far as the petitioner is concerned.

For Petitioner : Mr.N.Jeyaram Sidharth,
Advocate

For Respondents : Mr.S.Ravi,
Additional Public Prosecutor



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ORDER

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Seeking to quash the First Information Report in Crime No.313 of 2023 on the file of the first respondent police, this Criminal Original Petition has been filed.

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

3. The learned counsel for the petitioner submitted that the respondent police registered a First Information Report as against the petitioner in Crime No.313 of 2023 for the offence under Section 21(4) of the Mines and Minerals (Development and Regulation) Act, 1957. It is a settled proposition of law that the police have no authority to register a criminal case for an offence under the Mines and Minerals (Development and Regulation) Act, and hence, the First Information Report is liable to be quashed.

4. Mr.S.Ravi, learned Additional Public Prosecutor, fairly conceded the said proposition of law; however, he sought liberty to be granted to the jurisdictional Revenue Tahsildar to proceed against the petitioner.



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5. Accordingly, the First Information Report in Crime No.313 of 2023 on the file of the first respondent police is hereby quashed, and this Criminal Original Petition is allowed, granting liberty to the jurisdictional Revenue Tahsildar to proceed against the petitioner, if so advised. Consequently, the connected Criminal Miscellaneous Petition is closed.

05.12.2025

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

To

1.The Inspector of Police,
Karaikudi North Police Station,
Sivagangai.

2.The Sub-Inspector of Police,
Karaikudi North Police Station,
Karaikudi, Sivagangai.

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



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L.VICTORIA GOWRI, J.

mn

Crl.O.P.(MD)No.13600 of 2024
and
Crl.M.P.(MD)No.8433 of 2024

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