



Crl.O.P.(MD)No.7995 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 18.09.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD)No.7995 of 2025
and Crl.M.P(MD)No.5996 of 2025

Manojkumar

... Petitioner

Vs.

The State of Tamilnadu Rep. by
The Inspector of Police,
Adiramapattinam Police Station,
Thanjavur.
(Crime No. 16 of 2020)

... Respondent

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records in Crime No.16 of 2020 on the file of respondent police and quash the same.

For Petitioners : Mr.S.Sudhanthiran

For Respondent : Mr.K.Sanjai Gandhi
Government Advocate (Criminal side)

ORDER

This petition is filed to quash the FIR in Crime No.16 of 2020 registered for the offence under Section 21(1) of the Mines and Minerals (Development & Regulations) Act, 1957, on the file of the respondent police.



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2. The allegation is that during vehicle search, it was found that the petitioner was transporting one unit of river sand and thus committed the aforesaid offence.

3. The impugned FIR registered for the offence under Section 21(1) of the Mines and Minerals (Development & Regulations) Act, 1957 cannot be sustained, since the respondents have no jurisdiction to register an FIR for the said offence. The offence can be taken cognizance of by the Court only on a complaint filed by the authorized officer. The aforesaid legal position has been further clarified by a Division Bench of this Court in Crl.O.P.(MD)No.13173 of 2011 dated 05.01.2012 in ***Sengol and others v. State of Tamilnadu rep., by the Inspector of Police, R.S.Mangalam Police Station, Ramanathapuram District.***

4. In view of the aforesaid violation, the impugned FIR in Crime No.16 of 2020 on the file of the respondent police is quashed. Consequently, connected miscellaneous petition is closed.

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

18.09.2025



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To

1. The Inspector of Police,
Adiramapattinam Police Station,
Thanjavur.

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



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SUNDER MOHAN, J.

PJL

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