



Crl.O.P.(MD)No.12575 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 25.07.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.O.P.(MD)No.12575 of 2025
and
Crl.M.P.(MD)No.9773 of 2025

Mujipu Rahuman

... Petitioner

Vs.

The Inspector of Police,
Koomapatti Police Station, Koomapatti,
Watrap Taluk, Virudhunagar District-626133.
Crime No.113 of 2025

... Respondent

Prayer : Criminal Original Petition filed under Section 528 BNSS, to call for the records pertain to the impugned FIR in Crime No.113/2025 on the file of respondent police in so far as the petitioner is concerned and Quash the same as illegal.

For Petitioner : Mr.A.C.Namburaj

For Respondent : Mr.P.Kottaichamy,
Government Advocate(Crl.side)



WEB COPY



CrI.O.P.(MD)No.12575 of 2025

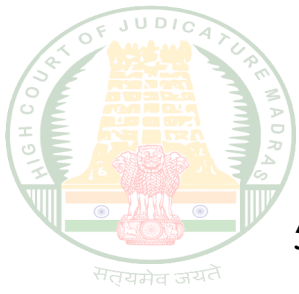
ORDER

The petitioner, who is the sole accused in Crime No.113 of 2025 on the file of respondent Police, has filed this petition to quash the said proceedings.

2.The case of the prosecution is that the petitioner has illegally transported 4 bags of sand, without any permission. Therefore, the case in Cr.No.113 of 2025 has been registered for the offence under Section 303(2) BNS r/w Section 21(1) of the Mines and Minerals(Development and Regulation)Act, 1957.

3.The learned counsel appearing for the petitioner submits that the respondent Police has mechanically registered the case, without proper enquiry. Therefore, he prays to quash the impugned FIR in Cr.No.113 of 2025.

4.The learned Government Advocate(Crl.side) appearing for the respondent submits that the grounds raised by the petitioner shall be appreciated by the Investigating Agency during investigation.



CrI.O.P.(MD)No.12575 of 2025

WEB COM

5.This Court has considered the submissions made on either side and perused the available records.

6.As rightly pointed out by the learned Government Advocate(Crl.side), the grounds raised by the petitioner are all factual aspects which cannot be decided by this Court in this petition and it is matter for investigation. The case is still at the stage of investigation. The investigation is the process of finding out the truth. The respondent police are not supposed to conduct the investigation in a mechanical manner, only based on the complaint of the defacto complainant and the witnesses, if any, produced by the defacto complainant. They have to conduct the investigation in a fair manner by taking note of the materials and the documents if any placed by the accused also. Therefore, this Court at this stage is not inclined to interfere with the investigation in Cr.No.113 of 2025. The investigation agency shall find out the truth and to file the final report of close the case. accordingly, this criminal original petition is dismissed. Consequently, connected miscellaneous petition is closed.

gns

25.07.2025



CrI.O.P.(MD)No.12575 of 2025

WEB COPY

1.The Inspector of Police,
Koomapatti Police Station, Koomapatti,
Watrap Taluk, Virudhunagar District-626133.

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



WEB COPY



CrI.O.P.(MD)No.12575 of 2025

B.PUGALENDHI,J

gns

CrI.O.P.(MD)No.12575 of 2025

25.07.2025