



CrI.O.P.(MD)No.15128 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 12.09.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CrI.O.P.(MD).No.15128 of 2025

and

CrI.M.P.(MD).No.12283 of 2025

Subramanian

... Petitioner /Accused No.1

Vs.

The State of Tamilnadu, Rep.by
The Inspector of Police,
Civil Supplies and Crime Investigation Department,
(CSCID-Madurai)
Tirunelveli Police Station,
Tirunelveli District.
In Crime No.65 of 2022

... Respondent / Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records pertaining to the F.I.R. in Crime No.65 of 2022 on the file of Civil Supplies and Crime Investigation Department, (CSCID-Madurai), Tirunelveli Police Station, Tirunelveli District and quash the same.

For Petitioner : Mr.M.Dhinakar

For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor



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ORDER

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This Criminal Original Petition has been filed challenging the F.I.R. in Crime No.65 of 2022 on the file of Civil Supplies and Crime Investigation Department, (CSCID-Madurai), Tirunelveli Police Station, Tirunelveli District for the offences punishable under Sections 6(4) of TN Scheduled Commodities (RDCS) Order, 1992 and Section 7(1)(a)(ii) of Essential Commodities Act, 1955.

2. The allegation against the petitioner is that he was found in possession of 12 plastic bags, each contains 50 kgs of ration rice and the said rice was purchased from the ration card holders.

3. The learned counsel for the petitioner would submit that though the FIR has been registered in the year 2022, the respondent has not conducted the investigation so far. He would further submit that Section 6(4) of TN Scheduled Commodities (RDCS) Order, 1992, would not be applicable in this case, since there is no evidence to show that the petitioner had purchased the PDS rice from the ration card holders. It is further submitted that the petitioner is only a Driver of the vehicle, which was seized by the respondent Police.

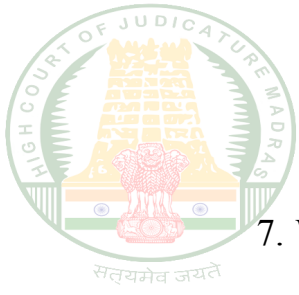


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4. The learned Additional Public Prosecutor, per contra, would submit that there is no limitation prescribed for the offence under Section 7(1)(a)(ii) of Essential Commodities Act, 1955, which is punishable with the imprisonment upto seven years; and that investigation is in progress and Final Report would be filed within a period of four weeks; and that the allegation against the petitioner would attract the offence under Section 6(4) of TN Scheduled Commodities (RDCS) Order, 1992, as the petitioner has purchased the PDS rice from the ration card holders.

5. Though there is a delay in filing of the Final Report, this Court cannot, at this stage, decide whether the allegation attracts the offence under Section 6(4) of TN Scheduled Commodities (RDCS) Order, 1992. Since the investigation is in progress, this Court is not inclined to scuttle the investigation. It is needless to say that if the petitioner is aggrieved by the Final Report, he may challenge the same.

6. The respondent shall file the Final Report before the concerned Court within a period of four weeks from the date of receipt of copy of this order.



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7. With the above direction and liberty, this Criminal Original Petition is

dismissed. Consequently, connected Miscellaneous Petition is closed.

12.09.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes/ No

Indu

To

1.The Inspector of Police,
Civil Supplies and Crime Investigation Department,
(Cscid-Madurai)
Tirunelveli Police Station,
Tirunelveli District

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



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SUNDER MOHAN, J.

Indu

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12.09.2025