



Crl.O.P.(MD)No.21922 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.02.2025

CORAM

THE HON'BLE MR.JUSTICE P.DHANABAL

Crl.O.P.(MD)No.21922 of 2024

and

Crl.M.P(MD) No.13598 of 2024

1. Muthumariyappan
2. Muthuraj
3. Selvam
4. Saravanakumar

.. Petitioner

Vs.

The Sub Inspector of Police
Kallikudi Police Station
Madurai District

.. Respondent

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to call for the records of the impugned First Information Report in Crime No.99 of 2019 dated 27.06.2019 pending on the file of the Inspector of Police Station, Madurai District and quash the same.

For Petitioners : Mr.S.Sankarapandian

For Respondent : Mr.M.Sakthi Kumar
Government Advocate(Crl.Side)



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ORDER

This Criminal Original Petition has been filed to quash the First Information Report in Crime No.99 of 2019 dated 27.06.2019 on the file of the first respondent police.

2. The learned counsel appearing for the petitioners would submit that the respondent police has registered a false case against the petitioners for the offences under Sections 4(1)(1A) and 21(1) of Mines and Minerals(Development and Regulation) Act. 1957. The petitioners are licence holder but without considering the same the respondent police have registered the First Information Report, therefore he prays to quash the First Information Report.

3. The respondent police filed a detailed counter. In the counter it is stated that the petitioners have a transit permit issued by the Assistant Director of Geology and Mining vide proceedings in Na.Ka. No.Ke.Vi. 1/101/2025 dated 24.01.2025 issued on 26.06.2019 in Bulk No.51533 in series no.351-375 for the period 26.06.2019 to 01.07.2019 and the respondent is also further enquiring on the report .



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4. Heard both sides and perused the materials available on record.

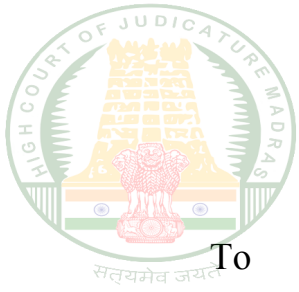
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5. According to the petitioner the respondent police registered a case in Crime No. 99 of 2019 for the offences under Sections 4(1)(1A) and 21(1) of Mines and Minerals(Development and Regulation) Act, 1957. Infact the Assistant Director of Geology and Mining issued transit permit but without perusing the permit the case has been registered. Hence it is abuse of process of law. Even according to the status report filed by the respondent police, the petitioners have permit for the particular period, but the respondent police registered the present First Information Report, therefore this is a fit case to quash the First Information Report.

6. In view of the same, this Criminal Original Petition stands allowed and the First Information Report in Crime No.99 of 2019 dated 27.06.2019 on the file of the first respondent police is hereby quashed. Consequently connected miscellaneous petition stands closed.

19.02.2025

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

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1. The Sub Inspector of Police
Kallikudi Police Station
Madurai District

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



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P.DHANABAL,J.

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