



CRL OP(MD). No.17442 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 14/10/2025

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CRL OP(MD). No.17442 of 2025

and

Crl.M.P(MD).No.14158 of 2025

1. Selva Adaikalraj,

2. Meciya.,

... Petitioners

Vs

1. State of Tamilnadu

Inspector of Police,

Lalgudi,

Lalgudi Police Station,

Trichy.

(Crime No. 1412 of 2020).

2. The Sub Inspector of Police,,

Lalgudi Police Station,

Trichy..

... Respondents

PRAYER :- Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records relating to the FIR in Crime No. 1412 of 2020 on the file of first respondent police and quash the same as illegal.



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For Petitioner : MrV.Vishnu,
For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

The petitioner seeks to quash the impugned FIR in Crime No.1412 of 2020 on the file of the first respondent police, which was registered for the offences under Sections 379 of IPC and Section 21(1) of Mines and Minerals (Development & Regulation)Act, 1957.

2. The allegation is that the respondent police had conducted routine inspection and they found the petitioner in possession of two gunny bags of river sand in his two wheeler and that sand was stolen and thus committed the aforesaid offence.

3. The learned counsel for the petitioner would submit that the respondents have no jurisdiction to register an FIR for the offence under Section 21(1) of Mines and Minerals (Development & Regulation)Act, 1957, that the Court can take cognizance of the said offence only on the complaint of an authorized officer; that for the offence of theft which is said to have been committed in the year 2020, the respondents have not



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chosen to file a final report within the limitation period and therefore, the impugned FIR is liable to be quashed.

4. The learned Additional Public Prosecutor, on instructions, would fairly submit that the final report has not been filed; that the respondent police have no justifiable reason for the delay and that the petitioner has no previous antecedents.

5. It is well settled that the respondent police have no jurisdiction to file the final report for the offence under Section 21(1) of the Mines and Metals (Development Regulation) Act. As regards the offence under Section 379 IPC, it is seen that the alleged occurrence took place on 30.05.2020 and the respondent police ought to have filed the final report within a period of three years, as the maximum sentence that can be imposed for the offence under Section 379 IPC is three years. The limitation provided under Section 468(2)(b) of Cr.P.C is three years.



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6. The respondent police have not filed the final report, even after five years and they have no justifiable reason for the delay. No other offences are made out against on the petitioner and the petitioner has no bad antecedents. This Court is of the view that no useful purpose would be served in keeping the impugned FIR pending investigation. Accordingly, the impugned FIR in Crime No.1412 of 2020 is quashed and the Criminal Original Petition stands allowed. Consequently, the connected miscellaneous petition is closed.

14.10.2025

TTA

TO

1. Inspector of Police,
Lalgudi,
Lalgudi Police Station,
Trichy.
2. The Sub Inspector of Police,,
Lalgudi Police Station,
Trichy.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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SUNDER MOHAN,J

TTA

**ORDER
IN
CRL OP(MD) No.17442 of 2025**

Date : 14/10/2025