



Crl.O.P.(MD)No.19182of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.11.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.19182 of 2025

and

Crl.MP(MD).No.16002 of 2025

Ayyappan

... Petitioner / Sole Accused

Vs.

1.State of Tamilnadu Rep by,
The Inspector of Police,
Palayanur Police Station,
Sivagangai District.
Crime No.61/2023.

... Respondent No.1 / Complainant

2.Kamalakannan,
Village Administrative Officer,
No.37, Piramanur East Group,
Thiruppuvanam Taluk,
Sivagangai District.

... Respondent No.2 / Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records relating to the FIR in Crime No.61 of 2023 on the file of the 1st respondent dated 06.10.2023 and quash the same



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For Petitioners : Mr.R.Gandhi,
Senior Counsel for Mr. A.Balaji

For Respondents : Mr.K.Sanjai Gandhi
Government Advocate

ORDER

This petition has been filed to quash the FIR in Crime No.61 of 2023 on the file of the 1st respondent, dated 06.10.2023, registered for the offences punishable under Sections 447 and 379 of IPC.

2. The allegation in the impugned FIR is that the petitioner, being the highest bidder, was granted permission to remove Juli flora trees from about 4.2 hectares of land belonging to the Forest Department; that the licence period was from 01.09.2022 to 31.08.2023; that the petitioner violated the licence conditions by removing trees even thereafter on 12.09.2023; and thus committed the aforesaid offences.

3. The learned counsel for the petitioner would submit that the allegation of trespass would not be made out as the petitioner had valid permission to remove Juli flora trees till 31.08.2023; and that the allegation of theft also is



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falsified by the proceedings of the District Forest Officer, who ordered the release of the security deposit of Rs.12,500/- to the petitioner after noting that the petitioner had not committed any violation of the lease conditions.

4. Heard the learned Government Advocate appearing for both the respondents. He would fairly submit that the District Forest Officer had, subsequently by his proceedings, dated 07.01.2025, ordered the release of security deposit to the petitioner as there was no violation of the licence conditions.

5. Admittedly, the petitioner had a valid licence for removal of the Juli flora trees for the period from 01.09.2022 to 31.08.2023, which was granted by the District Forest Officer in his proceedings, dated 05.02.2021. The District Forest Officer therefore, would be the appropriate person to decide as to whether there was any violation of the license conditions. In his proceedings, dated 07.01.2025, the District Forest Officer had observed that there was no violation of license conditions and in fact ordered the release of the security deposit of Rs.12,500/-to the petitioner.



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6. In view of the above observations, this Court is of the view that none of the offences alleged are made out and hence, the impugned FIR is liable to be quashed. Accordingly, this Criminal Original Petition is allowed. Consequently, connected Miscellaneous Petition is closed.

03.11.2025

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

Indu/dk

To

- 1.The Inspector of Police,
Palayanur Police Station,
Sivagangai District.
- 2.The Village Administrative Officer,
No.37, Piramanur East Group,
Thiruppuvanam Taluk,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

Indu/dk

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