



WEB COPY

CRL OP No. 3704 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-02-2026

CORAM

THE HON'BLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP No. 3704 of 2026

Bharathi

..Petitioner(s)

Vs

1. State Rep.by
The Inspector of Police,
Valangaiman Police Station,
Tiruvarur District.
(Crime No.387 of 2023)

2. Kamaraj

..Respondent(s)

Criminal Original Petition is filed under Section 528 of B.N.S.S., to call for the records relating to Crime No.387 of 2023 on the file of first respondent and quash the same.

For Petitioner(s): Mr.A.Samson

For Respondent(s): Mr.S.Santhosh,
Government Advocate (Crl.Side) for R1

ORDER

This Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.387 of 2023 pending on the file of the first respondent.



2. The case of the prosecution is that on 29.06.2023, the first respondent police, while on patrol duty, received information about illegal transportation of sand. Acting upon the said information, they intercepted the petitioner's tipper lorry bearing Registration No.TN 19 AW 3184, which was allegedly transporting 4 units of gravel sand without any valid permit. Hence, a case was registered against the petitioner for illegal transportation of minerals.

3. The learned counsel for the petitioner submitted that the petitioner was in possession of a valid permit to transport sand on the relevant date. Without verifying the same, the first respondent has registered the case against the petitioner. He further submitted that the first respondent police have no jurisdiction to register a case under Section 21(1) of Mines and Minerals (Development & Regulation) Act. Hence, the petitioner seeks quashment of the First Information Report against him.

4. The learned Government Advocate (Crl.Side) appearing for the first respondent submitted that the petitioner's tipper lorry bearing Registration No.TN 19 AW 3184 was intercepted and found to be illegally transport four units of gravel sand, without any valid permit or Government Order and therefore, the first respondent Police registered the case. He further submitted that though the case has been registered for the offences under Sections 379 IPC and 21(1) of Mines and Minerals (Development & Regulation) Act, upon



enquiry, the offence under Section 21(1) of Mines and Minerals (Development & Regulation) Act would be dropped, if not made out. He also submitted that the first respondent police are conducting investigation and if the petitioner is able to produce valid permits pertaining to the date of occurrence, the same would be duly considered and appropriate action would be taken in accordance with law.

5. Recording the submission made by the learned Government Advocate (Crl.Side), this Criminal Original Petition stands closed, with a direction to the first respondent to file the final report within a period of three months from the date of receipt of a copy of this order. The petitioner is directed to produce the original permits for the purpose of verification.

16-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
VKR

To

1.The Inspector of Police,
Valangaiman Police Station,
Tiruvarur District.

2.The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

VKR

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