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CrI.O.P.No.4005 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2026

CORAM:

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

CrI.O.P.No.4005 of 2026
and CrI.M.P.No.2753 of 2026

Sankar

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Veppur Police Station,
Cuddalore District.
(Crime No.221 of 2018)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for the records relating to the First Information Report in Crime No.221 of 2018 on the file of the respondent police and quash the same in respect of the petitioner/A4.

For Petitioner : Mr.M.Vignesh

For Respondent : Mr.S.Santhosh
Government Advocate (Criminal Side)

ORDER

The present Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.221 of 2018, pending against the petitioner on the file of the respondent Police.



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2. Heard both sides and perused the materials available on

3. The case of the prosecution is that on 04.07.2018, based on secret information, the respondent and his team visited the place of occurrence, where the accused were attempting to take river sand illegally. Consequently, the aforesaid case in Crime No.221 of 2018 was registered for the offences under Section 21(1) of the Mines & Minerals (Development & Regulation) Act, 1957 (herein referred to as “the MMDR Act”) and Sections 379 & 430 of IPC, which is now sought to be quashed.

4. Learned counsel appearing for the petitioner submitted that the petitioner, who is arrayed as A4 in this case, was implicated in this case only on the basis of the confession statement recorded from accused Nos.1 and 2 and that there is no specific allegation against him. He further submitted that though the case was registered in the year 2018, there has been no progress in the investigation and the final report has not been filed till date. He also submitted that the respondent police had not registered the case for the offence under Section 21(1) of the MMDR Act in accordance with law. Hence, he prayed to quash the criminal proceedings against the petitioner.



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5. Learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the investigation in this case has been completed and the charge sheet is yet to be filed before the jurisdictional Magistrate.

6. Heard the learned counsel appearing on either side and perused the materials available on record.

7. As per Section 22 of the MMDR Act, in respect of offences punishable under the MMDR Act, cognizance can be taken only on the basis of a complaint given by the authorized person, as envisaged under the said Act.

8. In the case on hand, incontrovertibly, the impugned FIR was not registered on the complaint given by the authorized officer but by the respondent police. Therefore, on this solitary ground itself, this Court is inclined to quash the FIR insofar as it relates to the offence under Section 21(1) of the MMDR Act, in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS.



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9. Accordingly, this Criminal Original Petition stands partly allowed and the First Information Report in Crime No.221 of 2018, pending on the file of the first respondent police, is quashed only insofar as it relates to the offence under Section 21(1) of the MMDR Act, as against the petitioner. In respect of the other offences, it is open to the respondent police to proceed with the investigation and take further steps in accordance with law. It is made clear that this order shall not be a bar for the authorized officer under the MMDR Act to initiate appropriate proceedings by way of filing a private complaint, if so advised, in accordance with law.

10. Consequently, the connected miscellaneous petition is closed.

18.02.2026

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Neutral Citation: Yes/No



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- To
1. The Inspector of Police,
Veppur Police Station,
Cuddalore District.
 2. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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and Crl.M.P.No.2753 of 2026***

***18.02.2026
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