



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-06-2026

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THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 14100 of 2026

and

CrI.M.P.No.9012 of 2026

1. Rajajee alias Chitrasu
S/o.Nadarajan, No.54,Road Street,
Main Road, Poigaikudi, Kali Post,
Mayiladuthurai Taluka, Nagapattinam,
Tamil Nadu - 609 811

Petitioner(s)

Vs

1. The State of Tamil Nadu Rep By,
The Sub-Inspector Of Police
Manalmedu Police Station, Uthukuli,
Mayiladuthurai District, Tamil Nadu.

2.K.Thirumurugan
Sub Inspector of Police, Manalmedu
Police Station, Mayiladuthurai District,
Tamil Nadu.

Respondent(s)

PRAYER

To call for the records pertaining to FIR in Crime No.264 of 2024 , registered on 22.09.2024, on the file of 1st Respondent Police and quash the same.

For Petitioner(s): M/S.S. SANTHOSH (VC) FOR
M.G.Pranava Charan

For Respondent(s): M/S.R. RAJASEKARAN
Government Advocate (CRL. SIDE)



ORDER

This Court on 04.06.2026, passed the following order:-

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“The petitioner, who is arrayed as A1 in Crime No.264 of 2024 for the offences punishable under Section 303 (2) of BNS and 21(1) Mines and Minerals (Development and Regulation) Act, has filed the present Criminal Original Petition seeking to quash the FIR.

2. The learned counsel for the petitioner submitted only four bags of river sand were allegedly transported by the petitioner along with the other accused. According to the petitioner, the value of these four bags of sand would not exceed Rs.5,000/-. As per Section 303(2) of BNS, any article which is less than the value of R.5,000/- is not a cognizable offence and hence, FIR cannot be registered. With regard to Section 21(1) of Mines and Minerals (Development and Regulation) Act, it is settled provision that prosecution can be initiated only on a complaint by an authorised officer and not by way of a police report.

3. The learned Government Advocate (Crl. Side) submitted that proper information sent to the first respondent namely, Inspector of Police, Manalmedu Police Station, Mayiladuthurai and the respondent Police deputed a Head Constable. Though



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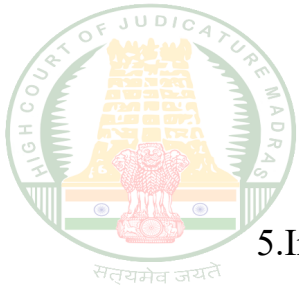
the Head Constable carries a file, he is unable to give proper instructions. Hence, he seeks time to get appropriate instructions and file a counter.

4. Post the matter on 11.06.2026. In the meanwhile, the first respondent shall file a counter affidavit.”

2. In view of the order passed by this Court on 04.06.2026, the learned Government Advocate (Crl.Side) for the respondents on instructions submitted that the petitioner was found only carrying four carry bags of river sand and the petitioner has got no previous case. He further submitted that the total worth of the river sand is only few hundreds and nothing more.

3. The learned counsel for the petitioner submitted that the petitioner had taken the sand not from the river, but only from the side of the road and it was only for the purpose of constructing the Government Toilet under the Swachh Bharat Mission.

4. Considering the facts and circumstances of the case and the submissions made by learned counsel on both sides and also the fact that the petitioner had no previous case, this Court is inclined to quash Crime No.264 of 2024 against the petitioner. Accordingly, Crime No.264 of 2024 is quashed as against the petitioner.



5. In the result, this Criminal Original Petition is allowed. Consequently,

the connected miscellaneous petition is closed. No costs.

11-06-2026

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Sub-Inspector Of Police
Manalmedu Police Station, Uthukuli,
Mayiladuthurai District, Tamil Nadu.

2. The Public Prosecutor,
High Court of Madras, Chennai.



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CRL OP No. 14100 of 2



M.NIRMAL KUMAR J.

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