



Crl.O.P. No. 11130 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 24.06.2026

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THE HONOURABLE MR. JUSTICE M. NIRMAL KUMAR

Crl.O.P. No. 11130 of 2026

1. Dhandpani
2. Shambhu Kumar Yadav ..Petitioners

Vs.

State rep. by
Inspector of Police,
J-1, Saidapet Police Station,
Chennai.
Crime No. 495 of 2025. ..Respondent

Prayer: Criminal Original Petition filed under Section 528 of BNSS to call for records relating to FIR in Crime No. 495 of 2025 on the file of Inspector of Police, J-1, Saidapet Police Station, Chennai District and quash the same, as against the petitioner.

For Petitioners :: Mr.D. Davis Simon Christy Doss

For Respondent :: Mr.R. Rajasekaran
Counsel for Govt. of Tamil Nadu
(Crl.Side)



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ORDER

The petitioners/accused in Crime No. 495 of 2025 on the file of the respondent Police registered for the offences under Section 21(1) of Mines and Minerals (Development & Regulation Act), 1957 and Section 303(2) of BNS have filed the present quash petition.

2. The case against the petitioners is that the respondent Police had intercepted lorries bearing Registration Nos. TN 55 BK 1714 and TN 61 R 5334 and inspected the same. It was found that three units of normal sand were transported without any valid permit. The drivers of the lorries were questioned, the vehicles were seized and thereafter, a case was registered for transportation of sand without valid permit.

3. The contention of the learned counsel for the petitioners is that on 25.11.2025, the petitioners were driving the lorries bearing Registration Nos. TN 55 BK 1714 and TN 61 R 5334 loaded with excavated sand from metro work. While they were crossing the Saidapet Bus Stop, they were stopped by the de facto complainant under the guise of regular vehicle check. The de facto complainant had enquired the petitioners about the sand found in the lorries. The petitioners had explained that the



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lorries were engaged with Government Contract Work and produced valid licence for the same. However, the same was not considered, the vehicles were taken to the Police Station and case was registered. According to the learned counsel for the petitioners, the owners of the said lorries had entered into a sub-contract with their contractor, namely, M/s. J. Kumar Infraprojects Limited for the purpose of transporting the excavated sand from the metro site and in support of this contention, the learned counsel for the petitioner has produced the communication dated 02.09.2025 issued by the Assistant Engineer (H), C&M, Chennai City Roads Section I, Chennai 15, granting authorisation to certain vehicles to transit the excavated sand from the project of “Construction of Four Lane Elevated Corridor from km 6/0 – 9/2 of Grand Southern Trunk Road (Teynampet to Saidapet) and dump it in Highways Research Station (Sardar Patel Road) premises only and the lorries of the petitioners find place in the said list of vehicles authorised for the aforesaid work.

4. Learned Government Counsel (Crl.Side), on the previous hearing, was directed to verify the contention of the petitioners with regard to the permit and authorisation given by the authorities. On



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verification, he would submit that the petitioners' lorries have been authorised and permitted for internal shifting of the excavated sand from the project site to Highways Research Station (HRS), Sardar Patel Road, Guindy, for temporary stacking and in this regard, he has also produced the communication of the Divisional Engineer (H), Construction and Maintenance, Chennai City Roads Division I, Chennai-15 dated 08.12.2025 wherein the lorries of the petitioners find place at Serial Nos. 3 and 7 under the list of vehicles authorised for the said work.

5. From the above submission of the learned Government Counsel, it is seen that the lorries of the petitioners were only transporting excavated sand from the project site with due authorisation. Hence, the the proceedings in Crime No. 495 of 2025 on the file of the respondent Police is hereby quashed and the criminal original petition is allowed.

24.06.2026

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1. Inspector of Police,
J-1, Saidapet Police Station,
Chennai.
2. The Public Prosecutor,
High Court, Madras.



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M. NIRMAL KUMAR,J.

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