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CRL OP No. 14683 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-06-2026

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THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

**CRL OP No. 14683 of 2026
and Crl.M.P.No.9404 of 2026**

Sankar
S/o. Murugan,
No.87, Morappur Rail Road,
Dharmapuri-636 701.

..Petitioner(s)

Vs.

1. The State Represented by Inspector of Police
CSCID Police Station,
Dharmapuri.
Crime No.291 of 2025
2. A. Yasar Moulana
Sub Inspector of Police,
Dharmapuri Police Station,
Dharmapuri.

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 528 of BNSS, to call for the records relating to the Crime No.291 of 2025 on the file of the Inspector of Police, CSCID Police Station, Dharmapuri, Dharmapuri District and quash the same by allowing this Criminal Original Petition and thus render justice.

For Petitioner(s): Mr.T. Balaji

For Respondent(s): Mr.A.Amarnath
Counsel for Government of Tamilnadu
(Criminal Side)
for R1



ORDER

The petitioner who is an A2 in Crime No.291 of 2025 registered for the offences under Section 6 (4) of the Tamil Nadu Scheduled Commodities (Regulation of Distribution by Card System) Order, 1982 and Section 7 (1) (a) (ii) of the Essential Commodities Act, 1955, has filed this quash petition.

2. The case of the prosecution is that, on 20.12.2025 at about 11.00 p.m., while the respondent Police were on patrol duty, they received secret information that near Maathigonapalayam Village, two persons had stored smuggled PDS rice. On noticing the presence of the police personnel, the accused persons fled from the scene of occurrence. Upon inspection, the police seized 32 bags containing PDS rice weighing approximately 1,600 kilograms in total. The rice had allegedly been stored without any valid permission and no person came forward to claim ownership over the same. Hence, the case came to be registered.

3. The learned counsel for the petitioner would submit that the petitioner is suffering from locomotor disability with 75% permanent physical impairment. In support of the said contention, the learned counsel drew the attention of this Court to the Disability Certificate produced in the typed set of papers. It is further submitted that, in view of his severe physical disability, the petitioner was not in a position to physically participate in or commit the



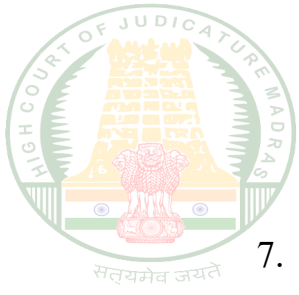
alleged offence as projected by the prosecution.

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4. The learned Government Advocate (Criminal Side) appearing for the respondent Police would submit that the petitioner and one Giri were arrested during the course of investigation. He would further submit that the investigation has been completed and a final report has been filed before the learned Judicial Magistrate-I, Dharmapuri, in Ref. No. LTN20230000168C20260091.

5. In view of the rival submissions made by the learned counsel appearing on either side, this Court directs the petitioner to appear before the first respondent and produce all relevant medical records pertaining to his alleged disability. Upon such appearance and production of records, the respondent Police shall refer the petitioner to a duly constituted Medical Board for assessment and verification of the nature and extent of his disability.

6. Upon receipt of the report from the Medical Board, the respondent Police shall consider the same and proceed further in accordance with law. If the report substantiates the petitioner's claim and warrants exclusion of his involvement in the occurrence, the respondent Police shall take appropriate steps, including deletion of the petitioner's name from the array of accused, if so advised.



7. Till the completion of the above said exercise, the filing of the final report by the respondent Police, the learned Judicial Magistrate-I, Dharmapuri, is directed not to take cognizance of the final report filed in Ref. No. LTN20230000168C20260091.

8. With the above directions, this Criminal Original Petition stands disposed of. Consequently, the connected miscellaneous petition is closed.

12-06-2026

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

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To

1. The Inspector of Police
CSCID Police Station,
Dharmapuri.
Crime No.291 of 2025.
2. The Public Prosecutor
High Court of Madras.



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M.NIRMAL KUMAR, J.

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