WEB COPY

Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-10-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL OP No. 31495 of 2026 and
Crl.M.P.no.20882 of 2026

CNR: {HCMA012545082026}

Yokesh
S/o Devendiran,
No.579, Porkunam Road,
Nayudumangalam Village,
Tiruvannamalai Taluk and District.

..Petitioner(s)

Vs

1. The State Rep By, The Inspector of Police
   Kalasapakkam Police Station,
   Tiruvannamalai.
2. M.Santhi
   No.34/16, Ramalingam 3rd Street,
   Tiruvannamalai Taluk and District.

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 528 of BNSS to call for the records connected with the impugned FIR in Crime No.306 of 2026 pending investigation on the file of the 1st respondent police and quash the same and pass such further or other orders as this Honourable Court.

For Petitioner(s): Sathiyaraj E.

For Respondent(s): Mr.R.Ganesh Kumar,
Additional Public Prosecutor for R1

https://www.mhc.tn.gov.in/judis

WEB COPY

ORDER

This Criminal Original Petition has been filed to quash the impugned FIR in Crime No.306 of 2026 pending on the file of the respondent Police, registered for the offences punishable under Sections 303(2), 326(a) of BNS Act and Section 21(5) of Mines and Minerals (Development and Regulation) Act, 1957.

2. The case of the prosecution is that the petitioners were illegally transporting one unit of morambu sand without any valid licence. Hence, the first respondent has registered the FIR against the petitioner under Sections 303(2), 326(a) of BNS Act and Section 21(5) of Mines and Minerals (Development and Regulation) Act, 1957. To quash the same, the present petition has been filed.

3. Heard both sides and perused the materials available on record.

4. On a perusal of records it is seen that the second respondent herein has issued permission certificate No. TN12020260910331 dated 11.09.2026 authorising to transport the said sand.

5. In view of the above circumstances the petitioner had transported the

https://www.mhc.tn.gov.in/judis

WEB COPY

Morambu sand in accordance with law and valid transport permit has been issued by the concerned authorities. Therefore, no offence is made out as against the petitioner and the FIR cannot be sustained.

6.Accordingly, this Criminal Original Petition stands allowed and the FIR in Crime No. 306 of 2026 on the file of the first respondent police is hereby quashed as against the petitioner. Consequently, the connected miscellaneous petition is closed.

29-10-2026

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

SMN

To.

1. The Inspector of Police
Kalasapakkam Police Station,
Tiruvannamalai.

2. The Public Prosecutor, High Court, Madras

https://www.mhc.tn.gov.in/judis

WEB COPY

G.K.ILANTHIRAIYAN, J.

SMN

CRL OP No. 31495 of 2026 and
Crl.M.P.no.20882 of 2026

29-10-2026

https://www.mhc.tn.gov.in/judis