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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-10-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL OP No. 31196 of 2026

CNR:{HCMA012547202026}

and

CRL MP No. 20707 of 2026

Gajendiran
S/o Egambaram,
No.340, Durai Street,
Alamelumangapuram,
Amburam, Vellore,
Vellore District.

..Petitioner(s)

Vs

State Represented by, The Inspector of Police
Sathuvachari Police Station,
Vellore District.
Crime No.418/2019

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 528 of BNSS, praying to call for the records pending on the file of the respondent, namely, Inspector of Police, Sathuvachari Police Station, Vellore District, in Crime No. 418/2019 and quash the criminal proceeding.

For Petitioner(s): Mr.E.Kannadasan
For Respondent(s): Mr.R.Ganesh Kumar
Additional Public Prosecutor

ORDER

This petition has been filed to quash the proceedings in Crime No.418 of 2019, pending on the file of the respondent, Inspector of Police, Sathuvachari Police Station, Vellore District, for the alleged offences under Sections 379, 430

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of IPC r/w 21(1) of Mines and Minerals (Development and Regulation) Act, 1957.

2.The case of the prosecution is that on 05.09.2019 at about 14.30 hours, while the respondent police and his subordinates were on routine duty to prevent sand theft, they found a Tipper Lorry bearing Registration No.TN-04-C-3299 carrying three units of Chakkai Kal (sliced stones). On intercepting the vehicle, the driver escaped from the scene of occurrence. Subsequently, it was found that the stones had been transported without any valid permit or bills. Hence, a case was registered against the driver of the vehicle, who is the petitioner herein, in Crime No.418 of 2019 for the alleged offences punishable under Sections 379 and 430 of IPC read with 21(1) of Mines and Minerals (Development and Regulation) Act, 1957. The FIR has remained pending for more than seven years.

3. The learned Additional Public Prosecutor, on instructions, submitted that the respondent police completed the investigation only on 26.09.2026 and filed the final before the jurisdictional Court concerned.

4.The petitioner, being the driver of the vehicle, produced the quarry receipt and permit issued by the authorities concerned, authorising him to transport stones for the period from 08.01.2012 to 07.01.2022. Thus, the

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petitioner had transported three units of sliced stones under a valid licence and permit. Therefore, no offence is made out under Sections 379 and 430 of IPC. Insofar as Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 is concerned, the petitioner has produced the valid quarry licence. Hence, no offence is made out against the petitioner.

5.In view of the above, the FIR in Crime No.418 of 2019 and the consequential final report cannot be sustainable in law and the same are liable to be quashed.

6.Accordingly, the proceedings in Crime No.418 of 2019, on the file of the respondent, namely, Inspector of Police, Sathuvachari Police Station, Vellore District, are hereby quashed and this Criminal Original Petition stands allowed. Consequently, connected miscellaneous petition is closed.

27-10-2026

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

Uma
To
1. The Inspector of Police
Sathuvachari Police Station,
Vellore District.
2.The Public Prosecutor
High Court of Madras.

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G.K.ILANTHIRAIYAN J.

Uma

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