



CRL OP(MD). No.3080 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 06/01/2026

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THE HONOURABLE MRS. JUSTICE L.VICTORIA GOWRI

CRL OP(MD). No.3080 of 2025
and
CRL MP(MD)No.2092 of 2025

Seenivasan

... Petitioner

Vs

1. The State of Tamil Nadu,
Rep. by the Inspector of Police,
Parthipanoor Police Station,
Ramanathapuram District.
(In Crime No. 238 of 2024).

2. Vijayakumaran,
Assistant Director of Mines and
Minerals Department,
Ramanathapuram District.

... Respondents

PRAYER :-

To call for the entire records pertaining to the Impugned First Information Report in Crime NO. 238 of 2024, dt. 11.12.2024 on the file of the first respondent and quash the same as illegal against the petitioner.



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For Petitioner : Mr. R.Senthilkumar,
Advocate.

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For Respondents : Mr.M.Vaikkam Karunanithi for R1
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition is filed to call for the entire records pertaining to the Impugned First Information Report in Crime No. 238 of 2024, dated 11.12.2024 on the file of the first respondent and quash the same as illegal against the petitioner.

2. The case of the prosecution is that when the second respondent was in regular patrol duty, on 11.12.2024, he intercepted a vehicle bearing Reg.No.TN 30 BR 8327 loaded with M.Sand and sought for the permit for transportation of the M.Sand, the driver of the vehicle ran away. Hence a case in Crime No.238 of 2024 was registered on the same day for the alleged offences under Sections 21(1) of Mines and Minerals (Development and Regulation) Act, 1957. Seeking quashment of the First Information Report, this Criminal Original Petition was filed by the petitioner / accused.



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3. Learned counsel for the petitioner submitted that when the matter was taken up by this Court on 20.02.2025, an order of interim stay has been passed by this Court, restraining the respondent police, not to file final report. Despite the existence of stay order, final report has been filed in e-filing LTN 20220002326 dated 12.03.2025, before the learned Judicial Magistrate, Paramakudi, after passing of the interim order. He would submit that the FIR itself is an abuse of process of law.

4. In view of the above submission, the act of the first respondent in filing the final report through e-filing after passing of an order of interim stay is an abuse of power by the first respondent.

5. In view of the same, the FIR in Crime No.238 of 2024 on the file of the first respondent is hereby quashed, despite the same has culminated in filing a final report in e-filing LTN 20220002326 dated 12.03.2025. Consequently, the final report is also quashed.



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L.VICTORIA GOWRI, J

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6. Accordingly, this Criminal Original Petition is allowed.

Consequently, connected miscellaneous petition stands closed.

06.01.2026

NCC : yes / no
Index : yes / no
Internet : yes / no

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To

1. The Judicial Magistrate, Paramakudi.

2. The Inspector of Police,
Parthipanoor Police Station,
Ramanathapuram District.
(In Crime No. 238 of 2024).

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN

CRL OP(MD) No.3080 of 2025

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