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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.03.2026

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

CrI.OP.(MD)No.5047 of 2026
and
CrI.M.P(MD)Nos.5396 & 5397 of 2026

Sanjai Kumar

...Petitioner/4th Accused

Vs

The State of Tamilnadu,
Rep by its Inspector of Police,
Kadaladi Police Station,
Ramanathapuram District.
Crime No.12/2025.

...Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS Act, 2023, to call for the records pertaining to the Impugned Charge sheet in C.C.No. 332 of 2025 on the file of the Concerned District Munsif Cum Judicial Magistrate, Kadaladi, and quash the same as illegal against the petitioner/4th Accused.

For Petitioner : M/s.N.Juliet Latha

For Respondent : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor



ORDER

The present petition has been filed by the fourth accused in C.C.No.332 of 2025, on the file of the District Munsif cum Judicial Magistrate, Kadaladi, wherein the petitioner has been charge sheeted for the offences under Section 303(2) and 317(2) of BNS, 2023.

2. A perusal of the charge sheet reveals that A1 to A3 have committed theft of river sand and knowing fully well, the fourth accused said to have purchased the sand for construction of his house.

3. According to the learned Counsel appearing for the petitioner, the fourth accused is putting up a construction and for construction purposes, he has purchased the sand from A1 to A3 and he was not aware of the fact whether A1 to A3 have committed theft sand or not.

4. Considering the allegations made in the charge sheet, it is clear that A4 did not have any knowledge whatsoever about the origin of supply of the river sand. While constructing the house, he has purchased the sand from A1 to A3. In such circumstances, continuation of the criminal proceedings as against the fourth accused would cause him great prejudice and he cannot be directed to stand for trial.



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5. In view of the above said facts, C.C.No.332 of 2025, on the file of the District Munsif cum Judicial Magistrate, Kadaladi, is hereby quashed in so far as the 4th accused alone. Accordingly, this Criminal Original Petition stands allowed. Consequently, connected miscellaneous petitions are also closed.

10.03.2026

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR

To

1. The learned District Munsif Cum Judicial Magistrate,
Kadaladi.

2. The Inspector of Police,
Kadaladi Police Station,
Ramanathapuram District.

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



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R.VIJAYAKUMAR, J.

RJR

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