



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.03.2026

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

Crl.OP.(MD)No.5769 of 2026

and

Crl.M.P(MD)No.6221 of 2026

Sasikumar

...Petitioner/Accused No.1

Vs

1. The State of Tamilnadu,
Rep by the Sub Inspector of Police,
Karungal Police Station,
Kanyakumari District.
Crime No.161/2025.

...1st Respondent/Complainant

2. B.Helen Thanga Rani,
Father Name Not Known,
Village Administrative Officer,
Kappiyarai B Village,
Kanyakumari District.

...Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS Act, 2023, to call for the records of the impugned FIR in Crime Number 161/2025 dt.29.03.2025 on the file of the 1st respondent Police and to Quash the same as illegal and for consequential orders.

For Petitioner

: M/s.C.Kandasamy Sriram

For Respondents

: Mr.B.Thanga Aravindh
Government Advocate(crl.side)
for R1



ORDER

The present petition has been filed by the first accused in crime No.161 of 2025, on the file of the first respondent police wherein the petitioner is alleged to have committed offences under Section 303(2) of BNS, 2023 r/w Section 21(1) of Mines and Minerals (Development and Regulation Act), 1957.

2. A perusal of the FIR reveals that the petitioner was running Quarry unauthorisedly without obtaining any licence or permission from the concerned authorities.

3. According to the learned Counsel appearing for the petitioner, he was not quarrying and he was only storing M-sand.

4. The issue raised by the petitioner is a subject matter of investigation and the said disputed fact cannot be considered in an application for quashing of the F.I.R.

5. There are no merits in the petition. Accordingly, this Criminal Original Petition stands dismissed. Consequently, connected miscellaneous petition is also closed.

24.03.2026

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



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To

1. The Sub Inspector of Police,
Karungal Police Station,
Kanyakumari District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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R.VIJAYAKUMAR, J.

RJR

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