



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2026

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

Crl.OP.(MD)No.5569 of 2026

and

Crl.MP(MD)No.6013 of 2026

S.Satheesh Krishna

... Petitioner/ Accused No.1

Vs

1. The State of Tamilnadu
Rep. by the Inspector of Police,
Boothapandi Police Station,
Kanyakumari District.

... 1st Respondent/Complainant

2. Mrs. G.Kala
Village Administrative Officer
Esathimangalam South Village
Thovalai Taluk
Kanyakumari District

... 2nd Respondent/Defacto-Complainant

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS Act, to call for the records relating to the impugned F.I.R in Crime No.90 of 2024 dated 26.04.2024 on the file of the 1st respondent and quash the same against this petitioner alone.

For Petitioner

: Mr. H.Velavadhas

For Respondents

: Mr. A.Albert James
Government Advocate(crl.side)
for R1



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ORDER

The present petition has been filed by the sole accused in Crime No.90 of 2024 on the file of the first respondent police wherein the petitioner is alleged to have committed the offences under Section 147, 447, 379 and 286 of IPC r/w Section 3, 4(a), 4(b) and Section 5 of Explosive Substances Act, 1908 r/2 Section 21(5) of Mines & Minerals (Development & Regulation) Act, 1957.

2.A perusal of the F.I.R reveals that the Village Administrative Officer has lodged a complaint that the accused person had been illegally taking red-sand for brick kiln. They are also alleged to use explosive substance for breaking the rocks without obtaining any prior permission from the Government.

3.According to the learned counsel appearing for the petitioner, he had already lodged a complaint to the Chief Revenue Administrative Officer, Corporation of Chennai Zone, Chennai on 13.05.2024 alleging that the staff concerned has lodged a false complaint as against him. The enquiry in the said complaint has been completed. Unless the result from the said enquiry is made known, the police officials should be restrained from filing the charge sheet.



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4. Heard both side and perused the material records.

5. A perusal of the F.I.R reveals that the prima facie case has been made out as against the petitioner and no legal grounds have been raised. The only contention raised on the side of the petitioner is that the defacto complainant in the F.I.R is facing a departmental enquiry before the Chief Revenue Administrative Officer, Chennai Corporation. According to the petitioner, unless the enquiry is completed, the police should not file a charge sheet.

6. The departmental proceedings as against the defacto complainant does not have any connection whatsoever with the filing of the charge sheet in the present case by the police authorities. In such view of the matter, this Court is of the considered opinion that the investigation shall be completed as expeditiously as possible.

7. In view of the above said facts, there are no merits in the petition and this Criminal Original Petition stands dismissed. Consequently, connected miscellaneous petition is closed.

18.03.2026

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
dss/msa



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R.VIJAYAKUMAR, J.

dss/msa

To

1. The Inspector of Police,
Boothapandi Police Station,
Kanniyakumari District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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and
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