



Crl.O.P.(MD)No.23897 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **05.01.2026**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

Crl.O.P.(MD)No.23897 of 2025

and

Crl.M.P.(MD)No.20781 of 2025

T.Satheesh

... Petitioner

Vs.

1. State of Tamilnadu,
Rep by Inspector of Police,
Peraiyur, Police Station,
Madurai District.
Crime No. 102 of 2025.

2. M. Santhoshkumar,
Sub-Inspector of Police,
Peraiyur Police Station,
Madurai District.

... Respondents

PRAYER : Petition filed under Section 528 of BNSS, 2023 to call for the records relating to the proceedings in Crime No. 102 of 2025 on the file of the 1st respondent police dated 15.07.2025 and quash the same in so far as the petitioner is concerned.

For Petitioner : Mr.J.Vimal Pandian

For Respondents : Mr.M.Sakthi Kumar (R1)

Government Advocate (Crl.)



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ORDER

The petitioner seeks for quash of the FIR in Crime No. 102 of 2025 on the file of the 1st respondent police dated 15.07.2025.

2. The learned counsel appearing for the petitioner submitted that the petitioner has been arrayed as the fifth accused in Crime No.102 of 2025 for the offenses under Section 303 (2) of BNS, 2023 & Sections 21(5) and 4(1)(1A) of the Mines and Minerals (Development & Regulation) Act, 1957 ('MMDR Act'). He further submitted that the petitioner is not involved in the alleged occurrence and, in any event, the respondent police have no authority to register a case for offences under the MMDR Act. On these grounds, he sought the indulgence of this Court.

3. The learned Government Advocate appearing for the respondent police submitted that the police are well within their authority to register a case for the offences in respect of which the petitioner has been implicated. However, at the stage of filing the final report, the respondent police can proceed only in respect of the offences under the BNS / IPC. As regards the offences under the MMDR Act, it was submitted that the concerned



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Department alone is competent to take action in accordance with law. In view of the above submissions, it was contended that there is no illegality in the registration of the FIR and, therefore, the petition deserves to be dismissed.

4. No doubt, the respondent police are empowered to register the First Information Report, and it is only at the stage of filing the final report that they are precluded from extending the investigation in respect of offences under the MMDR Act. In view of the same, there is no illegality in the registration of the FIR, and consequently, the question of quashing the FIR does not arise. Accordingly, this Criminal Original Petition fails and is dismissed. Consequently, the connected miscellaneous petition is closed.

05.01.2026

NCC : Yes / No
Index : Yes / No
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TO:-

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



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L.VICTORIA GOWRI, J.

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Order made in
Crl.O.P.(MD)No.23897 of 2025

Dated
05.01.2026