

**ORDERS ON TAKING COGNIZANCE AND ISSUANCE OF
PROCESS**

Mines and Geological Department, Hassan has filed the present complaint against the accused No. 1 to 4 for the offences punishable under sections 21, 22, 23(B), 24(1) R/W Sec. 4(1), 4(1-A) of Mines and Minerals (Development and Regulation) Act, 1957.

2. Heard and perused the materials available on record.

3. It is the case of complainant that on 13.03.2026 at 04.45 P.M, the accused No. 1 to 4 have committed theft of sand from Hemavathi river near Hemavathi bridge Sakaleshpura Town and transported the sand for the purpose of selling illegally. The Geologist, Mines and Geological Department, Hassan having found the accused NO. 1 to 4 committing the said act, has also registered Private complaint for the offense punishable under Section 223 of BNS. On these allegations the complainant has alleged that the accused No. 1 to 4 have committed the offences punishable under sections 21, 22, 23(B), 24(1) R/W Sec. 4(1), 4(1-A) of Mines and Minerals (Development and Regulation) Act, 1957.

4. On careful perusal of the complaint averments, spot mahazar and other documents made available on record, the same prima-facie discloses that the accused No. No. 1 to 4 have violated the provisions under sections 21, 22, 23(B), 24(1) R/W Sec. 4(1), 4(1-A) of Mines and Minerals (Development and Regulation) Act, 1957.

5. This is the complaint made by the Geologist, Mines and Geological Department, Hassan, who is a public servant and also an authorized person under Section 22 of MMDR Act. Thus, as provided under Section 223 BNSS, the examination of complainant and witnesses needs to be dispensed with.

6. Considering the above aspects and also on careful perusal of the materials made available on record, this Court is satisfied that there are sufficient grounds to proceed against the accused No. 1 to 4 for the offence punishable under sections 4(1A) and 21 of Mines and

Minerals (Development and Regulation) Act. Hence, this Court proceed to pass the following;

ORDER

Sworn statement of the complainant and his witnesses is hereby dispensed as provided under the law.

Cognizance is taken for the offences punishable under sections 4(1A) and 21 of Mines and Minerals (Development and Regulation) Act, 1957.

Office is hereby directed to register the Criminal Case against the accused No. 1 to 4 in the register No.III.

(Jayaprakash. V)
Senior Civil Judge & JMFC
Sakaleshpura.