



IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.2484 of 2025

***M. Madhusudan Reddy @
Manohar Reddy***

.....

Petitioner

Represented By Adv. –
Mr. Manoj Kumar
Mohanty

-versus-

State of Odisha

.....

Opposite Party

Represented By Adv. –

Ms. Babita Kumari
Sahu, AGA

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
11.08.2025

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Heard learned counsel for the Petitioner as well as learned counsel for the State. Perused the application as well as documents annexed thereto.
3. By filing the present application under Section 528 of the B.N.S.S., Petitioner seeks to invoke the inherent jurisdiction of this Court to quash the entire criminal proceeding in Nihal Prasad P.S. Case No.54 of 2025, which corresponds to G.R. Case No.150 of 2025, pending in the file of learned J.M.F.C., Gandia, for alleged commission of offence punishable under Section 303(2)/3(5) of the



B.N.S., 2023 read with Section 21 of the Mines & Minerals (Regulation of Development) Act, 1957.

4. Learned counsel for the Petitioner, at the outset, contended that the Petitioner happens to be the partner of the firm, however he has been falsely implicated in the present case. In course of his argument, learned counsel for the Petitioner referring to the authorisation declaration under Annexure-4 dated 01.03.2025, submitted before this Court that the Petitioner is in no way connected with the activities of the firm which are involved in the present crime. On such ground, learned counsel for the Petitioner prayed for quashing of the entire proceeding.

5. Learned counsel for the State, on the other hand, contended that the Petitioner has been specifically named in the F.I.R. and that there is direct allegation against the present Petitioner. He further contended that since the investigation is on, it is not an appropriate stage to dispose of the application in exercise of power under Section 528 of the B.N.S.S.

6. Having regard to the submissions made by the learned counsels for the parties, on a careful examination of the materials on record, this Court deems it proper to dispose of the application by granting liberty to the Petitioner to raise all the grounds at the time for framing of charge. Further, liberty is granted to the Petitioner to approach the I.O. along with a copy of the authorisation letter under Annexure-4 which shall be considered in course of the investigation. On the prayer of learned counsel for the Petitioner, the Petitioner is directed to cooperate with the investigation. In such eventuality, the arresting officer shall apply Section 35 of the B.N.S.S. in terms of the judgment of the Hon'ble



Supreme Court in the case of *Satendra Kumar Antil vs. Central Bureau of Investigation & anr., reported in 2022 LiveLaw (SC) 577.*

In the event it is found that the Petitioner is covered by the principle laid down in the aforesaid case, then the case of the Petitioner be considered under the aforesaid provision.

7. With the aforesaid observations and directions, the CRLMC application stands disposed of.

(A.K. Mohapatra)
Judge

Debasis

Signature Not Verified

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Signed by: DEBASIS AECH
Reason: Authentication
Location: ORISSA HIGH COURT
Date: 12-Aug-2025 17:03:30

