



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-07-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP No. 19637 of 2026

and

CRL.MP.No.13027 of 2026

Gokulraj
S/o.Ravi,
No.651, 19th Street, B.V.Colony,
Vyasarpadi, Chennai.

..Petitioner(s)

Vs

The Inspector of Police,
P-5, M.K.B. Nagar Police Station,
Chennai.

..Respondent(s)

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS, praying to call for the records and quash the First Information Report in Crime No.189 of 2026 pending on the file of the respondent until disposal of the present Criminal Original Petition.

For Petitioner(s): M/s.P.Muthamizh Selvakumar

For Respondent(s): Mr.M.Mohamed Riyaz
Government Advocate (Criminal Side)

ORDER

The prayer in this Criminal Original Petition is to quash the First Information Report.



2. On a perusal of the allegations contained in the First Information Report, it is seen that Crime No.189 of 2026 has been registered for the alleged offences under Sections 8(c), r/w 20(b) (ii) (B) of NDPS Act r/w 132 of BNS, alleging that the accused was found in possession of 1.6 kgs of ganja.

3. The primary contention advanced by the petitioner is that, even at the time of remand, the learned counsel appearing for the accused produced a pen drive containing CCTV footage from the petitioner's residence, which, according to the petitioner, clearly establishes that the police had picked him up from his house on the relevant day. It is therefore contended that the alleged arrest and recovery could not have taken place at the place and time mentioned in the First Information Report.

4. The above submission is undoubtedly relevant. However, in several cases, it is the defence of the accused that he was apprehended from a place different from the one shown in the prosecution records and that CCTV footage is available in support thereof. Such material, by itself, cannot be treated as incontrovertible, as the prosecution may have an explanation for the same. Therefore, the veracity of the prosecution case can be determined only after the investigation is completed, and the said contention cannot constitute a ground for quashing the First Information Report at this stage.



5. To quash a First Information Report, the facts projected by the petitioner must be of an incontrovertible nature. When the facts relied upon admit of any other possible explanation, the Court cannot exercise its inherent jurisdiction to quash the First Information Report, and the petitioner has to await the outcome of the investigation.

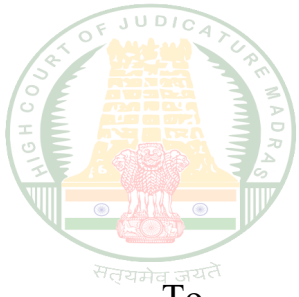
6. Considering the serious nature of the allegations, it is open to the petitioner to place all the above materials, including the pen drive containing the CCTV footage, before the Investigating Officer. The investigation shall be closely monitored by the jurisdictional Assistant Commissioner of Police. The said pen drive and CCTV footage shall also be placed before the superior officer, who along with the respondent / Investigating officer, shall consider the same objectively and dispassionately during the course of the investigation.

7. With the above observations, while keeping open all the rights and remedies available to the petitioner to raise his defence at the appropriate stage, this Criminal original Petition stands closed. Consequently, connected miscellaneous petition is also closed.

23-07-2026

Neutral Citation: Yes/No

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To
WEB COPY

1. The Inspector of Police,
P-5, M.K.B. Nagar Police Station,
Chennai.
2. The Public Prosecutor,
High Court, Madras.



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D.BHARATHA CHAKRAVARTHY, J.

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