

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No.24772 of 2025

Santhoshkumar

... Petitioner

Vs.

State Rep. by

Inspector of Police

E-3 Teynampet Police Station

Chennai - 600 018

... Respondent

PRAYER : Criminal Original Petition filed under Section 528 of B.N.S.S. to call for the records from the respondent police pertains to Crime No.461 of 2024 on the file of the respondent police and quash the same.

For Petitioner : Mr.J.William Shakesphere

For Respondent : Mr.K.M.D.Muhilan
Additional Public Prosecutor

ORDER

In this petition, the FIR in Crime No.461 of 2024 registered for the offences under Sections 8(c), 20(b)(ii)(B) and 29(1) of NDPS Act on the file of the respondent police, is sought to be quashed by A3.

2. The crux of the allegations in the FIR is that on secret information on 08.11.2024, the police found the accused 1 to 4 selling Ganja. Therefore,

they arrested A1 to A4 and the contraband was seized in the presence of police witness from A1 and A2.

3. The learned counsel for the petitioner submits that the seizure has been effected only from A1 and A2. Since no seizure has been effected from the petitioner and no overt-act has been attributed against him, the FIR is liable to be quashed.

4. At the out set, this Court is of the view that the presence of the petitioner/A3 along with other accused has been clearly established. Therefore, merely because no seizure has been effected from the petitioner, the FIR cannot be quashed.

5. Accordingly, this Criminal Original Petition is dismissed.

6. Let the prosecution files the final report as per law.

16.09.2025

ksa-2

Index:Yes/No

Speaking/Non-speaking order

Neutral Citation:Yes/No

To

1. The Inspector of Police
E-3 Teynampet Police Station
Chennai - 600 018
2. The Public Prosecutor
High Court of Madras, Chennai

CrI.O.P.No.24772 of 2025

N. SATHISH KUMAR, J.

ksa-2

CrI.O.P.No.24772 of 2025

16.09.2025