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Crl.O.P.No.27680 of 2025

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 10.10.2025**

**CORAM:**

**THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR**

**Crl.O.P.No.27680 of 2025 and**  
**Crl.M.P.Nos.18795 and 18796 of 2025**

S.Gokul

... Petitioner

Vs.

The State, rep. by  
Inspector of Police  
Ooty Town West Police Station  
Nilgiris District  
(Crime No.155 of 2024)

... Respondent

**PRAYER:** Criminal Original Petition filed under Section 528 of BNSS to call for the records pertaining to the proceedings of the impugned charge sheet in STC No.32 of 2025 pending on the file of learned Judicial Magistrate, Udthagamandalam, in Crime No.155 of 2024 on the file of respondent and to quash the same as illegal insofar as the petitioner is concerned.

For Petitioner : Mr.K.B.Vivekanandhan

For Respondent : Mr.R.Vinothraja  
Government Advocate (Crl. Side)



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## **ORDER**

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This Criminal Original Petition has been filed to quash the charge sheet in STC No.32 of 2025, for the offences under Sections 8(c), 20(b)(ii)(A) of NDPS Act, 1985 read with Section 34 of IPC, pending on the file of learned Judicial Magistrate, Udthagamandalam, in Crime No.155 of 2024 on the file of respondent, insofar as the petitioner/A3 is concerned.

2. According to the learned counsel for the petitioner, the petitioner has been arrayed as an accused only based on the confession of the other accused and that no seizure has been effected from the petitioner. Therefore, he prays to quash the final report against the petitioner.

3. Heard and perused the materials available on record.

4. Even assuming that the petitioner/A3 has been arrayed as an accused only on the confession of the co-accused, it is made clear that the confession of the co-accused can also be considered by the Court along with other materials brought on record. Though the confession itself is not enough to convict a person, the confession can also be considered by the Court along with other materials and circumstances brought on record. The circumstances and other materials by way of evidence and admission etc. can be seen only at the time of trial. What is required for framing of charges is,



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mere suspicion and not a concrete evidence. Therefore, at this stage, this

Court is not inclined quash the final report.

5. Accordingly, this Criminal Original Petition is dismissed.

**10.10.2025**

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Judicial Magistrate,  
Udhagamandalam,

2. The Inspector of Police  
Ooty Town West Police Station  
Nilgiris District

3. The Public Prosecutor,  
High Court of Madras.



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**N. SATHISH KUMAR, J.**

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