



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-12-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

**CRL OP No. 33082 of 2025
and Crl.M.P.No.23097 of 2025**

Pradeep

Petitioner

Vs

State of Tamil Nadu Rep by,
Inspector of Police, F-4, Thousand
Lights Police Station, Chennai District.
Crime No.145/2025

Respondent

PRAYER

Criminal Original Petition filed under Section 528 of the BNSS, 2023 praying to call for the records in C.C.No.594 of 2025 on the file of the Hon'ble Principal Sessions Judge, Special Court Under EC and NDPS Act, Chennai and quash the same.

For Petitioner: Mr.D.Padmanabhan

For Respondent: Mr.S.Santhosh
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed praying to call for the records in C.C.No.594 of 2025 on the file of Principal Sessions Judge, Special Court Under EC and NDPS Act, Chennai and to quash the same.



2. Learned counsel for the petitioner would submit that there are several discrepancies in the prosecution case and hence, the case in C.C.No.594 of 2025 pending on the file of learned Principal Sessions Judge, Special Court Under EC and NDPS Act, Chennai, is liable to be quashed.

3. The case of the prosecution is that on 08.04.2025 at about 9.00 a.m., Sub-Inspector of F4 Thousand Lights Police Station received information that a person was in possession of ganja near Velankanni Church, 2nd Lane, Royapettah for the purpose of selling the same. After obtaining permission, he formed a police team along with required equipment and witnesses and proceeded to the spot. They found one person standing suspiciously with a plastic bag. Upon enquiry, he revealed his name as Pradeep. The police introduced themselves and conducted a search in the presence of witnesses, during which they found about 22 kilograms and 445 grams of ganja inside the bag. The ganja was seized under a proper mahazar, packed and sealed in the presence of witnesses and the petitioner was arrested. The contraband was deposited, samples prepared and forwarded for forensic analysis. After completion of formalities, a case was registered under Section 8(c) read with Section 20(b)(ii)(C) of the NDPS Act, 1985 in Crime No.145 of 2025.



4. Learned Government Advocate (Criminal Side) appearing for the respondent would submit that the petitioner was found in possession of 22 kgs of ganja and whether there is discrepancy in the prosecution case or not, has to be decided only at the time of trial and the impugned proceedings cannot be quashed under Section 528 of B.N.S.S.

5. Heard both sides and perused the records.

6. The grounds raised by the petitioner are matters for trial. Therefore, this court is not inclined to quash the proceedings at this stage and this criminal original petition is liable to be dismissed.

7. Learned counsel for the petitioner, at this stage, would submit that a direction may be issued to the trial Judge for speedy disposal of the case taking into consideration the fact that the petitioner is an unemployed youth and because of pendency of this case, he is unable to get employment.

8. The learned Government Advocate (Criminal Side) would submit that several cases which were filed prior to C.C.594 of 2025 are still pending. In support of this submission, he would produce a long pending cases list.

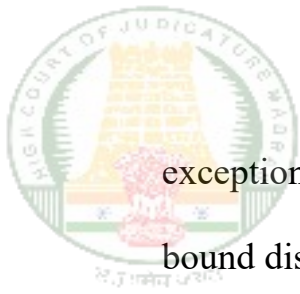


9. Considering force and substance in the aforesaid submission of the learned counsel for the petitioner, which, in the opinion of this court, is an exceptional circumstance, a direction is issued to the Trial Judge to complete the trial expeditiously preferably within a period of one year from the date of receipt of a copy of this order. While directing so, this Court is cognizant of the judgment of a Constitution Bench of the Supreme Court, in the case of ***High Court Bar Association, Allahabad vs. State of Uttar Pradesh*** reported in (2024) 6 SCC 267, wherein, it was held that the constitutional courts, in the ordinary course, should refrain from fixing a time-bound schedule for the disposal of cases pending before any other court and that time limit can be fixed for disposal of cases only in exceptional circumstances. The relevant portion of the said decision for the sake of ready reference is reproduced below:

"47.3. Constitutional courts, in the ordinary course, should refrain from fixing a time-bound schedule for the disposal of cases pending before any other courts. Constitutional courts may issue directions for the time-bound disposal of cases only in exceptional circumstances. The issue of prioritising the disposal of cases should be best left to the decision of the courts concerned where the cases are pending."

(emphasis supplied by this Court)

10. It has also been held in the aforesaid extracted portion that in



exceptional circumstances, constitutional courts may issue directions for time bound disposal of cases.

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11. In the result, this Criminal Original Petition is dismissed, however, with the above direction. Consequently, connected miscellaneous petition is closed.

04-12-2025

nvsri

Neutral Citation: Yes/No

To

+1. The Inspector of Police, F-4,
Thousand Lights Police Station,
Chennai District. Crime No.145/2025

2. The Principal Sessions Judge,
Special Court Under EC and NDPS
Act, Chennai

3. The Public Prosecutor
High Court of Madras.



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A.D.JAGADISH CHANDIRA J.

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