



Cr.O.P.No.33729 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2025

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr.O.P.No.33729 of 2025
and Cr.L.M.P.No.23584 of 2025

Prakash

... Petitioner

Vs.

The State of Tamil Nadu represented by,
The Inspector of Police,
B-5 Manavala Nagar Police Station,
Tiruvallur District.
Crime No.186 of 2025.

... Respondent

PRAYER : Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 to call for the records pertaining to F.I.R. No.186 of 2025 dated 25.09.2025 on the file of the Respondent Police and quash the same.

For Petitioner : Mr.Samir S.Shah

for Mr.S.John Josh

For Respondent : Mr.S.Santhosh

Government Advocate (Criminal Side)

ORDER

This petition has been filed seeking to quash the proceedings in Cr.No.186 of 2025 on the file of the respondent-Police for the offences under Sections 123 and 278 of the Bharatiya Nyaya Sanhita (BNS), 2023,



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Sections 8(c) and 20(b)(ii)(A) of the Narcotic Drugs & Psychotropic Substances Act, 1985 and Section 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015.

2. The case of the prosecution is that the petitioner / accused, along with his associates, was illegally selling drugs. Hence, the present case has been registered against the petitioner and his associates.

3. The learned counsel for the petitioner submits that as per the FIR, information was given to the respondent Police only on 25.09.2025 at about 16.30 hours, based on which the FIR came to be registered. He further submits that the petitioner had already been arrested on the previous day itself i.e., on 24.09.2025, and therefore, the registration of the FIR subsequent to the arrest clearly demonstrates that the entire proceedings is an abuse of process of law. Hence, he seeks to quash the case in Cr.No.186 of 2025 pending on the file of the respondent.

4. The learned Government Advocate (CrI.Side) appearing on behalf of the respondent-Police, submits that it is evident from the FIR that on 25.09.2025 at about 10.00 am., the Special Sub Inspector of Police attached to the respondent-Police received information that certain unknown



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persons were involved in illegal transportation of drugs. Upon suspicion, they were found to be in possession of Tapentadol tablets and Ganja, and hence, were brought to the Police Station at about 16.30 hours, based on which a case came to be registered against the petitioner. He further submits that the allegations are grave in nature, that there exist *prima facie* materials and the matter is squarely within the domain of investigation. At this stage, the FIR cannot be interdicted.

5. Heard the learned counsel on either side and perused the materials available on record.

6. A reading on the FIR discloses that the petitioner was allegedly found in possession of Tapentadol tablets and ganja, and that the case was registered based on the information received by the police and the subsequent seizure. The issues raised by the petitioner with regard to the timing of arrest and registration of FIR involve disputed questions of fact, which require a thorough investigation. At this preliminary stage, this Court is not inclined to embark upon a roving enquiry or to assess the correctness of the allegations. In view of existence of *prima facie* materials and the fact that the investigation is still in progress, this Court finds no ground to interdict the FIR at this stage.



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A.D.JAGADISH CHANDIRA, J.

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7. Accordingly, this criminal original petition stands dismissed.

Consequently, the connected miscellaneous petition is closed.

11.12.2025

Neutral Citation: Yes/No

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To

1. The Inspector of Police,
B-5 Manavala Nagar Police Station,
Tiruvallur District.
2. The Public Prosecutor,
High Court of Madras.

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