



WEB COPY

CRL OP No. 2530 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-02-2026

CORAM

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

CRL OP No. 2530 of 2026
and Crl.M.P.No.1692 of 2026

S.Sathishkumar

.. Petitioner

Vs

The State Rep by,
The Inspector of Police,
B-2, Esplanade Police Station,
Chennai, Chennai District.
(Crime No.312 of 2025)

..Respondents

Prayer: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records relating to the FIR in Crime No.312 of 2025, pending on the file of the respondent and to quash the entire proceedings against the petitioner/A-8.

For Petitioner : Mr.E.Udayachander

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

ORDER

The present Criminal Original Petition has been filed to quash the First Information Report in Crime No.312 of 2025, pending on the file of the first respondent police.



2. The brief facts of the case are that based on discreet information, one Mr.G.Arunkumar, Sub Inspector of Police, B-2 Esplanade Police Station along with four other Constables, conducted a search near Mannadi metro railway station where he found the accused 1 and 2 in possession of Methamphetamine (contraband) and seized the same. On the confession of the accused 1 and 2, further search was conducted in various places and it was found that six more persons were involved in the offence and on completion of the enquiry and seizure of the contraband, he prepared a report under Section 57 of the NDPS Act. Based on the report submitted by the Sub Inspector of Police, the first respondent police registered a case in Crime No.312 of 2025 for the offences under Sections 89(c), 22(b), 25 and 29(1) of the NDPS Act, which is now sought to be quashed.

3. Learned counsel appearing for the petitioner submitted that the petitioner is arrayed as accused No.8 in the case and other than the alleged confession recorded from the other accused, there is no material as against the petitioner. He further submitted that there is no recovery from the petitioner. Therefore, he prayed to quash the First Information Report against the petitioner.

4. The submissions of the learned Government Advocate (Criminal Side) are as follows:



4.1. The case in Crime No.312 of 2025 has been registered for the offences under Sections 89(c), 22(b), 25 and 29(1) of NDPS Act very recently on 05.11.2025 and that the investigation is at a very nascent stage.

4.2. The Hon'ble Supreme Court, in the case of *State Vs. M.Maridoss and another* reported in (2023) 4 SCC 338, has held that, as per the settled position of law, it is the right conferred upon the investigating agency to conduct the investigation and reasonable time should be given to the investigating agency to conduct the investigation unless it is found that the allegations in the FIR do not disclose any cognizable offence at all or the complaint is barred by any law.

4.3. As per the dictum laid down in *Maridoss* (supra), since the case was registered only on 05.11.2025 and investigation is at a very nascent stage, the First Information Report against the petitioner is not liable to be quashed.

5. Heard both sides and perused the materials available on record.

6. That the case was registered only on 05.11.2025, the investigation is at a very nascent stage and there are materials against the petitioner are not in dispute. Further, as held by the Hon'ble Supreme Court in *M.Maridoss* (supra), the right conferred upon the investigating agency should not be stifled and a



reasonable time must be given to the investigating agency to conduct the investigation. Therefore, this Court is not inclined to interdict the investigation at this stage.

7. In view of the above, this Criminal Original Petition stands dismissed. Consequently, the connected miscellaneous petition is closed. However, the first respondent police is directed to conduct a fair and thorough investigation.

04-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

SRM



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To

- 1.The Inspector of Police,
B-2, Esplanade Police Station,
Chennai, Chennai District.
- 2.The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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