



Crl.O.P(MD)No.4028 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.02.2026

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD)No.4028 of 2026

and

Crl.M.P(MD)No.4338 of 2026

Sujith Selva

... Petitioner/Accused

Vs.

1.The State of Tamil Nadu,
Rep.by The Inspector of Police,
Shanarpatti Police Station,
Dindigul District.

... Respondent/Complainant

2.Subramaniam

... Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records pertaining to the case in Crime No.427 of 2024 on the file of the Inspector of Police, Shanarpatti Police Station, Dindigul District and quash the same as against the petitioner.

For Petitioner : Mr.M.Suresh

For R1 : Mr.S.Ravi
Additional Public Prosecutor



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ORDER

Seeking to quash F.I.R in Crime No.427 of 2024 on the file of the 1st respondent, this criminal original petition is filed.

2. Since no adverse order is passed against the 2nd respondent, notice to the 2nd respondent is dispensed with.

3. The learned counsel for the petitioner submitted that the petitioner is the sole accused in the said crime. The case of the prosecution is that on 16.11.2024 at about 16.00 hrs, the 2nd respondent on receiving secret information, had proceeded to Velampatti bus stop along with police personnel and had found the petitioner with the possession of 20 gm Ganja and had took a sample of 10 gm Ganja and had seized the same, for which a First Information Report in Crime No. 427 of 2024 was registered for the offence under Section 8(c) r/w 20(b) (ii) (A) of NDPS Act on 16.11.2024.



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4. The learned counsel for the petitioner submitted that the punishment for the offence under Section 8(c) r/w 20(b) (ii) (A) of NDPS Act is one year or with fine which may extend to Rs.10,000/- or with both. However, after registering a First Information Report on 16.11.2024, even after a lapse of one year, so far, a final report is not filed in the aforesaid crime. Hence, the F.I.R is hit by Section 514 of BNSS, where the police is mandated to file a final report within the the period of one year. Since the said exercise is not followed, the F.I.R should necessarily be quashed.

5. The learned Additional Public Prosecutor submitted that the final report is not filed so far.

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

7. It is needless to state that the punishment prescribed under 20(b) (ii) (A) of NDPS Act is one year, or with fine, which may extend



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to Rs.10,000/-, or with both. Since the final report is not filed so far, F.I.R in Crime No.427 of 2024 on the file of the 1st respondent is quashed. Considering the nature of the offence and the inaction of the 1st respondent in the NDPS case, the Superintendent of Police, Dindigul District is directed to initiate appropriate departmental action as against the 1st respondent for not filing a final report in a NDPS case within time.

8. In view of the above, this Criminal Original Petition is allowed. Consequently, connected Miscellaneous Petition is closed.

25.02.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No

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To

- 1.The Inspector of Police,
Shanarpatti Police Station,
Dindigul District.
- 2.The Superintendent of Police,



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Dindigul District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

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