



Crl.O.P.(MD).No.8676 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 01.06.2026

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

Crl.O.P(MD)No.8676 of 2026

and

Crl.M.P(MD) Nos.9233 and 9234 of 2026

Raja

... Petitioner/Sole Accused

Vs

1. State of Tamil Nadu

Represented by

The Inspector of Police,

Bazaar Police Station,

Ramanathapuram District.

(Crime No.323 of 2024)

.... 1st Respondent/Complainant

2. N.Chithravelu

Sub-Inspector of Police,

Bazaar Police Station,

Ramanathapuram District.

... 2nd Respondent/
Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records relating to the impugned Charge Sheet in C.C.No. 502 of 2025, on the file of the learned Judicial Magistrate Court No.1, Ramanathapuram and quash the same.

For Petitioner

: Mr.T.Veerakumar

For R1

: Mr.P.Samuel Gunasingh
Counsel for State of TN (Crl.Side)



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ORDER

The present Criminal Original Petition has been filed by the sole accused in C.C.No.502 of 2025, on the file of the learned Judicial Magistrate Court No.1, Ramanathapuram, seeking to quash the charge sheet, wherein the petitioner is charged with the offence under Sections 4 (1) (C) of the Tamil Nadu Prohibition (Amendment) Act, 2024.

2. A perusal of the charge sheet reveals that the petitioner was in possession of 10 bottles of 180 ml IMFL Express Brandy.

3. According to the learned counsel appearing for the petitioner, the total quantity would be 1.8 liters which is permissible under the Tamil Nadu Liquor (Possession for Personal Consumption) Rules, 1996. He also relied upon the decision of this Court in ***2025 -1-L.W. (Crl.) 257 (Manikumar Vs. The State of Tamil Nadu, Rep by the Inspector of Police, PEW-Madurai City Police Station, Madurai and another)***.

4. Heard the learned counsel appearing for the petitioner and perused



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the materials available on record.

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5. It could be seen from the charge sheet reveals that the petitioner was found in possession of 1.8 liters of IMFL Express Brandy.

6. The judgment of this Court in **2025 -1-L.W. (Crl.) 257 (Manikumar Vs. The State of Tamil Nadu, Rep by the Inspector of Police, PEW-Madurai City Police Station, Madurai and another)**. Paragraph Nos.6 and 7 has held as follows:

“ 6. For better appreciation, the relevant portion of the said Government Order is extracted hereunder:-

“2. Possession of liquor for personal consumption:-

No person shall possess the liquor mentioned in column (1) of the Table below, which have already been specified under Sub-clause (i) of Clause (j) of subsection (i) of Section 4 of Tamil Nadu Prohibition Act, 1937 (Tamil Nadu Act X of 1937), for personal consumption, in excess of the quantity specified in the corresponding entries in column (2) thereof

Liquor	Quantity in litres
Indian Made Foreign Spirits	4.5
Imported Foreign Liquor	4.5
Beer	7.8
Wine	9



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7. In view of the above, this Criminal Original Petition is allowed and the FIR in Crime No.899 of 2024 on the file of the 1st respondent Police is hereby quashed. Consequently, the connected Criminal Miscellaneous Petition is closed.”

7. In view of the above said facts, it is clear that the above said judgment is squarely applicable to the facts of the present case. In view of the above said deliberations, the Charge Sheet in C.C.No.502 of 2025, on the file of the learned Judicial Magistrate Court No.1, Ramanathapuram, is hereby quashed.

8. Accordingly, this Criminal Original Petition is allowed. Consequently connected Miscellaneous Petitions are closed.

01.06.2026

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

1. The Inspector of Police,
Bazaar Police Station,
Ramanathapuram District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
3. The Judicial Magistrate Court No.1,
Ramanathapuram.



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R.VIJAYAKUMAR,J.

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