

Crl.O.P.No.12117 of 2016
in
Crl.A.SR.No.14444 of 2016

R.SUBBIAH, J

The petitioner seeks leave of this Court to file an appeal against the acquittal judgment dated 15.2.2013 made in S.C.No.163 of 2012 passed by the learned XVIII Additional Sessions Judge, City Civil Court, Chennai.

2. Learned Additional Public Prosecutor appearing for the petitioner submitted that Sections 4(1)(aaa) and 4(1)(A) of TNP Act read with Rules 6 and 11 of R.S.Rules, 2000 stipulate mere possession of spurious liquor with quantity of more than 105 litres of spurious liquor for conviction. But, the trial Court, without considering the same, on erroneous appreciation of evidence, acquitted the respondent. Thus, he sought for leave of this Court.

3. Though the respondent was served and his name appears in the cause list, he has not chosen to appear before this Court either in person or through counsel.

4. I have considered the submissions made by the learned Additional Public Prosecutor appearing for the petitioner and perused the judgment of the trial Court and prima facie, I find certain arguable points in this matter. Thus, it is a fit case to grant leave. Hence, leave is granted. Registry is directed to number the appeal, if it is otherwise in order.

31.08.2016

sbi

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sbi

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DATED: 31.8.2016