



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G. ILANGO VAN**

Crl.O.P. (MD) No.12649 of 2021

Mr.R.Ramesh

... Petitioner/Accused

Vs.

1.State represented by
The Inspector of Police,
Marthandam Police Station,
Marthandam,
Kanyakumari District.

... Respondent/Complainant

2.Mr.S.Senthilvel Kumar.

... Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for records in Crime No.235 of 2021, on the file of the first respondent relating to the petitioner and quash the same.

For Petitioner	: Mr.V.Malaiyendran
For R1	: Mr.R.M.Anbunithi, Additional Public Prosecutor

O R D E R

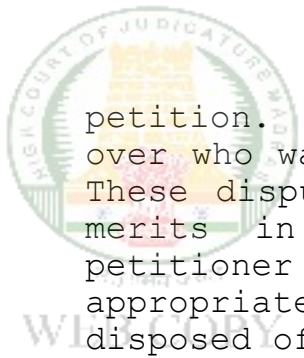
This petition has been filed to call for records in Crime No.235 of 2021, on the file of the first respondent relating to the petitioner and quash the same.

2.The petitioner is arrayed as accused in Crime No.235 of 2021, which was registered for the offences punishable under Sections 4(1) (aaa), 24 of TNP Act. As per the case of the prosecution, on 09.05.2021 at about 4.00 pm, the police party inspected the TASMACH which was run by the petitioner and during the course of investigation, 648 liquor bottles were seized, which was illegally stocked, based upon which, the case has been registered.

3.The learned counsel for the petitioner would submit that the petitioner is not running the above said Bar. He is running Recreation Club, which is located 1km away from the place of occurrence.

4.The learned Additional Public Prosecutor would submit that the petitioner has also involved in similar case in previous occasion in Crime No.458 of 2009. In this matter, totally 15 witnesses have been examined and investigation is not completed.

5.Whether the petitioner was available in the place of occurrence or not can not be a matter for discussion in this



petition. It can be revealed only during the investigation. More over who was running the TASMAL also is a matter for investigation. These disputed facts cannot be gone into at this stage. I find no merits in this petition. After filing Final Report, if the petitioner is aggrieved, he is at liberty to work out his remedy appropriately. Accordingly, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Inspector of Police,
Marthandam Police Station,
Marthandam,
Kanyakumari District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P. (MD)No.12649 of 2021
02.09.2021

RS (24.09.2021) 2P 3C