



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.01.2022

CORAM :

WEB COPY

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

Crl.O.P(MD)No.1555 of 2022  
and  
Crl.M.P. (MD)No.1125 of 2022

Siva Kumar ... Petitioner/Accused

Vs.

The Sub Inspector of Police,  
Keeraithurai Police Station,  
Madurai District.  
(Crime No.628 of 2021)

... Respondent/Complainant

**Prayer:** This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the First Information Report in Crime No.628 of 2021 dated 29.08.2021 alleged offences under Section 4(1)(a) of Tamilnadu Prohibition Act on the file of the respondent police and quash the same as illegal.

For Petitioner : Mr.V.Muhilan

For Respondent : Mr.M.Sakthi Kumar,  
Govt. Advocate (Crl. Side).

### **O R D E R**

Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent.

2.The petitioner is figuring as an accused in Crime No.628 of 2021 registered on the file Keeraithurai Police Station, Madurai City for the offence under Section 4(1)(a) of Tamil Nadu Prohibition Act.

3.The case of the prosecution is that the petitioner was found in possession of eight bottles of beer each containing 750 ML and one bottle containing 180 ML of brandy. It is beyond dispute that possession of the said quantity is within permissible limits. The petitioner has enclosed copy of the order dated 23.12.2020 in Crl.O.P.(MD)No.15677 of 2020. The ratio set out therein is squarely applicable to the case on hand. The impugned FIR is quashed and the



criminal original petition is allowed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (As)

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/ /2022

Sub Assistant Registrar(CS)

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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 Sub Inspector of Police,  
Keeraithurai Police Station,  
Madurai District.
- 2.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

Cr1.O.P (MD)No.1555 of 2022  
28.01.2022

MGJ(16.02.2022) 2P 3C