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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date of Reservation : 23/06/2023

Date of Pronouncement : 14/07/2023

CORAM:

THE HON'BLE MR JUSTICE G.ILANGOVAN

Crl.OP(MD)No.11298 of 2023

Kurinji Manamahizh Mandram (Reg.No.65/2014)
Rep. by its Secretary Saravana Krishnan,
1/980, Kollam Main Road,
Piranoor Border, Sengottai,
Tenkasi District. : Petitioner/Sole Accused

Vs.

- 1.State represented through
The Inspector of Police,
Sengottai Police Station,
(Crime No.324 of 2022) : R1/Complainant
- 2.Esakki,
The Sub Inspector of Police,
Sengottai Police Station,
Tenkasi. : R2/De-facto Complainant
- 3.The Assistant Commissioner,
Prohibition and Central Excise,
Collectorate,
Tenkasi-627 811. : R3/Complainant

Prayer: Criminal Original Petition has been filed under section 482 of the Criminal Procedure Code, to call for the records of the impugned FIR in Crime No.324 of 2022, dated 04/11/2022 on the file of the 1st respondent police and quash the proceedings in so far as it relates to the petitioner herein.



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2

For Petitioner : Mr.N.Shylappa Kalyan
For Respondents : Mr.B.Nambiselvan
Additional Public Prosecutor

O R D E R

This criminal original petition has been filed seeking quashment of the FIR in Crime No.324 of 2022 on the file of the 1st respondent.

2.The case of the prosecution in brief:-

On 04/11/2021 at about 12.15 in the noon, as per the direction of the Deputy Superintendent of Police, the de-facto complainant and others, inspected and searched the Kurinji Manamahizh Mandram, Kollam Main Road, Piranoor Border, Sengottai, Tenkasi District. At that time, no proper documents and license were produced by the Manager and the Supervisor. On search, 549 units, in excess, Indian made liquor was found. They were seized as per athachi. The above said Recreation Club was also sealed. On the basis of the above said occurrence, a case in Crime No. 324 of 2022 was registered.



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3. Heard both sides.

4. Perusal of the CD file shows that two groups of people claiming right over the society. In pursuance of the registration of the FIR in the present subject matter, the above said premises were also sealed by the de-facto complainant. The petitioner approached this court to de-seal the premises. But what happened after that is not clear on record. The registration of the Club itself is now under cloud. Unless the above said issue is resolved, this petition cannot be entertained. So, the petitioner can revive the application, after resolving the above issue.

5. So without going into the other aspects, this criminal original petition stands **dismissed**.

14/07/2023

Index: Yes/No
Internet: Yes/No
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To,

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



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5

G. ILANGO VAN, J

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Cr1.OP (MD) No.11298 of 2023

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