



Crl.O.P.No.9156 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No. 9156 of 2025

and

Crl.M.P.No.6063 of 2025

1. Amrish
2. Jaisankar

.... Petitioners

Vs

The State Represented By
The Inspector of Police,
Mathigiri Police Station,
Krishnagiri.
Crime No.83 of 2025

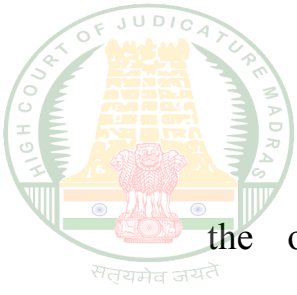
.... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Code of Criminal Procedure, to call for the records and quash the First Information Report in Crime No.83 of 2025 pending investigation on the file of the respondent police.

For Petitioners : Mr.M.Velan
For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.83 of 2025 registered on the file of the respondent police for



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the offence under Section 4(1)(C) of Tamil Nadu Prohibition
(Amendment) Act, 2024.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The case of the prosecution is that when the respondent police were on patrol duty, the first petitioner was driving a car along with the second petitioner, bearing registration No.TN 70 AR 2619, from Athipalli, Karnataka to Tamil Nadu, they were found in possession of (i) three numbers of King Fisher Beer bottle (650 ml), (ii) two number of Hoegaarden Tin Beer (500 ml), (iii) one bottle BRO Code Beer (330 ml) and (iv) five packet of Carnival XXX Rum (180 ml). Hence, the complaint.

4. The learned counsel appearing for the petitioners would submit that the possession of the liquor bottle were meant for personal consumption. Even then the respondent registered the FIR in Crime No.83 of 2025 for the offences under Section 4(1)(C) of Tamil Nadu Prohibition (Amendment) Act, 2024.



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5. That apart, the FIR has been registered by the Inspector

of Police, who is not shown to be duly empowered under the Tamil Nadu Prohibition Act to register such offences. Further, the quantity of the liquor found in possession of the petitioners falls within the permissible limits as prescribed under the Tamil Nadu Liquor (Possession for Personal Consumption) Rules, 1996 as per G.O.Ms.No.75 P & E, dated 16.04.1996 and as amended vide G.O.(Ms) No.14 H.P.EVI Department dated 09.06.2017.

6. In view of the above, FIR in Crime No.83 of 2025 registered on the file of the respondent police cannot be sustained and is liable to be quashed. Accordingly, the FIR is hereby quashed and the Criminal Original Petition stands allowed. Consequently, connected miscellaneous petition is closed.

27.03.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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To

1. The Inspector of Police,
Mathigiri Police Station,
Krishnagiri.

2. The Public Prosecutor,
High Court, Madras.

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