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Suo Motu TR.Nos.19314 and 19317 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.10.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

Suo Motu TR.Nos.19314 and 19317 of 2025
(PRC.Nos.1000024 of 2011 and 1000028 of 2004 of Judicial Magistrate
Court, Harur Taluk, Dharmapuri)

For Petitioner : Ms.G.V.Kasthuri
Additional Public Prosecutor

COMMON ORDER

These Sua Motu Cases are dealt with in an extraordinary manner by the Dedicated Bench, pursuant to Sua Motu W.P.(CrI.) No.618 of 2025.

2. These cases are registered for the alleged offence u/s.4(1)(aaa), 4(1-A) of TNP Act, 1937 and Sections 6 and 7 of Tamil Nadu Rectified Spirit Rules, 2000 and Section 66 of Tamil Nadu Excise Act and Section 4(1)(aaa) r/w. 4(1-A) of TNP Act 6 of Tamil Nadu Rectified Spirit Rules, 2000 r/w. Section 24 of TNP Act and Section 66 of Tamil Nadu Excise Act respectively. These occurrences are of the year 2010 and 2003 respectively. The allegation is that the accused have transported rectified spirit to Kerala on the way it was unearthed and they all intercepted and it is



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recovered. It is seen that for some of the accused from the beginning, only absconding charge sheets were filed. The summons was not served on the accused and consequently, warrant is pending and these matters are pending for a long time without any progress. The case need not be kept pending before the Magistrate any more. This is a fit case for exercise of power under Article 226 of the Constitution of India. The case can be closed and however, liberty of the prosecution to reopen the case, if there is any clue or if any accused surface in the near future.

3. Accordingly, these cases in PRC.Nos.1000024 of 2011 and 1000028 of 2004 of Judicial Magistrate Court, Harur Taluk, Dharmapuri, stand quashed. This Sua Motu Transfer Case is disposed of.

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Note to the Trial Court: This order is digitally signed and communicated electronically alone. The Trial Court shall take note of the order and accordingly classify the case pending before them as allowed / dismissed / disposed of, etc, and while doing so, consider any applications such as disposal of properties, etc., and pass appropriate orders, as may be necessary. Further, the Court below is directed to dispatch the copy of this order to all concerned.

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