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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE : 30.08.2025

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THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

Suo Motu Tr.(MD) No.3514 of 2025
(S.T.C.No.53 of 2022 on the file of the District Munsif cum Judicial Magistrate Court, Ottapidaram, Thoothukudi District)

State Rep. by The Sub Inspector of Police,
Ottapidaram Police Station,
Thoothukudi District.
in Cr.No.268/2021 ... Petitioner

Vs.

Pandikumar ... Respondent

Upon perusing the documents and case records of the above S.T.C.No.53 of 2022 on the file of the District Munsif cum Judicial Magistrate Court, Ottapidaram, Thoothukudi District transmitted to this Court and hearing the arguments of ***Mr.S.Ravi, learned Additional Public Prosecutor,*** on behalf of the State, this Court passes the following

ORDER

Prelude:

"This dedicated bench is for implementing the pilot project to identify and dispose of criminal cases involving offences punishable with imprisonment up to 3 years pending at trial, appeal or revision stage for more than 3 years and also

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offences like Section 506(ii) of IPC and others , which may carry a punishment of more than 3 years in the State of Tamil Nadu with reference to the 14 Districts coming under the Madurai Bench of Madras High Court".

2.This Dedicated Bench has taken the S.T.C.No.53 of 2022 on the file of the District Munsif cum Judicial Magistrate Court, Ottapidaram, Thoothukudi District as *Suo motu* Special Tr.Case.(MD) No.3514 of 2025 in Suo Motu W.P.(Crl.). (MD).No.1014 of 2025, upon proper scrutinity and considering its suitability that it is a fit case warranting the exercise of power under 482 of Cr.P.C. to quash the said STC., which is pending for more than 3 years without any progress.

3.**Brief facts of the prosecution case:**

The allegation in this case is that on 04.12.2021, accused was in possession of the number of liquor bottles without license and permission and hence the case was registered in Cr.No.268 of 2021 for offence under section 4(1)(i) of TNP Act and final report filed on the District Munsif cum Judicial Magistrate Court, Ottapidaram, Thoothukudi District and the same was taken on file S.T.C.No.53 of 2022.

4. Discussion:

The seized quantity is within the permission limit for personal consumption as described under the "*Tamilnadu Liquor (Possession for Personal Consumption) Rules 1996"* and hence this court finds no incriminating circumstances to continue the trial against the accused. Therefore no offence has been made out under the above said penal provisions of the Tamilnadu Prohibition Act. Further this case also

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pending more than 3 years. Considering the factual and matrix and contex[illegible] no useful purpose will be served by keeping the matter pending. Therefore this court is inclined to exercise the inherent power under section 482 of Cr.P.C. to quash the proceedings.

5. Precedent Value:

The observations, discussions and decision made in this particular case can not be quoted as precedent in the cases arising in future as the decision has been taken in this suomoto writ based on factual and legal basis of this particular case.

6. Conclusion:

Accordingly, the case in S.T.C.No.53 of 2022 on the file of the District Munsif cum Judicial Magistrate Court, Ottapidaram, Thoothukudi District is quashed. This Suo Moto Transfer case is disposed of.

30.08.2025

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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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K.K.RAMAKRISHNAN,J.

sbn

Order made in
Suo Motu Tr.(MD) No.3514 of 2025

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