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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE : 18.11.2025

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THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

Suo Motu Tr.(MD) No. 20112 of 2025
(S.T.C.No. 7971/2025 on the file of the Judicial Magistrate No.V, Madurai)

State Rep. by The Sub Inspector of Police,
S.S.Colony Police Station,
Madurai.
In Cr.No.440/2023 ... Petitioner

Vs.

Shanmugam ... Respondent

Upon perusing the documents and case records of the above S.T.C.No. 7971/2025 on the file of the Judicial Magistrate No.V, Madurai 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

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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 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. 7971/2025 on the file of the Judicial Magistrate No.V, Madurai as *Suo motu* Special Tr.Case.(MD) No.20112 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 number of years without any progress.

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

The allegation in this case is that, the accused was in possession of a number of liquor bottles without license and permission and hence a case was registered in Cr.No. 440/2023 for the offence under section 4(1)(a) of TNP Act and final report

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was filed before the Judicial Magistrate No.V, Madurai and the same was taken on file in S.T.C.No.7971/2025.

4. Discussion:

4.1. The seized quantity is within the permissible 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 pending more than number of years.

4.2. The prosecution, in the following report (*extracted hereunder*), has also stated that such types of minor cases have been pending for a long time, due to absconding accused, outdated addresses, relocation, deceased accused, and lack of updated information from complainants or witnesses. Therefore, they have requested that such types of cases may be disposed of as they now serve no useful purpose.

"These cases are minor in nature, yet they have remained pending for a long period, due to accused persons absconding or having relocated to other districts or

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states, incorrect or outdated addresses, or instances where the accused are found to be dead and lack of updated information from complainants are witnesses. All these cases are kept pending for a long period without any use.

Therefore, 1 humbly request that necessary directions may kindly be issued for the expeditious and early disposal of the long pending STC cases pertaining to the Tamil Nadu Prohibition Act 1937 in the Magistrate Courts"

4.3. Considering the factual and matrix and context, 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:

6.1. The case in S.T.C.No. 7971/2025 on the file of the Judicial Magistrate No.V, Madurai is quashed.

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6.2. The liquor remanded in this case shall be destroyed by the Investigating Agency. The empty bottles and the seized amount, if any, shall stand confiscated to the State and a compliance report shall be filed before the Jurisdictional Magistrate forthwith thereafter.

6.3. Accordingly, this Suo Moto Transfer case is disposed of.

18.11.2025

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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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