



Crl.O.P.(MD)No.397 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.01.2025

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.397 of 2025
and Crl.M.P(MD).No.257 of 2025

Balachandhar

.. Petitioner

Vs.

1.The State of Tamil Nadu rep., by
The Inspector of Police,
Virudhunagar Rural Police Station,
Virudhunagar.
Crime No.19 of 2023

2.Veerasamy

.. Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS,
to call for the records pertaining to the impugned FIR in Crime No.19 of
2023 dated 04.02.2023 on the file of the first respondent police and quash
the same as illegal.

For Petitioner : Mr.M.Sridharan

For R1 : Mr.A.Thiruvadikumar
Additional Public Prosecutor



Crl.O.P.(MD)No.397 of 2025

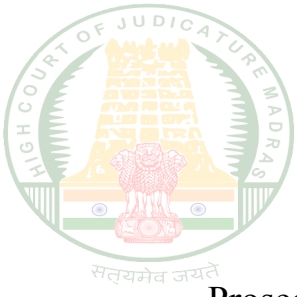
ORDER

WEB COPY

The petitioner, who is A1 in Crime No.19 of 2023 along with another accused for the offence under Section 4(1)(a) of Tamil Nadu Prohibition Act, had filed this quash petition.

2. The contention of the petitioner is that the petitioner is working abroad and he had come to his native, at that time, his friend had assembled and they were all having purchased liquor bottles, which now has been projected against the petitioner as if the petitioner was in possession of the entire liquor bottles, which was for the individual's own consumption, which was not for any sale.

3. The learned Additional Public Prosecutor submitted that this huge quantity of 196 bottles have been seized from the petitioner and apart from the above case, earlier the petitioner was involved in one more case of similar in nature. The points raised by the petitioner are factual, which have to be decided during trial, not in the quash application. Further, in this case, investigation is almost completed and charge sheet would be filed within one months.



Crl.O.P.(MD)No.397 of 2025

4. Recording the submission of the learned Additional Public

Prosecutor, this Criminal Original Petition is disposed of. Consequently,
connected Miscellaneous Petition is closed.

09.01.2025

NCC : Yes/No
Index : Yes / No
Rmk

To

- 1.The Inspector of Police,
Virudhunagar Rural Police Station,
Virudhunagar.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.397 of 2025

M.NIRMAL KUMAR,J.

Rmk

Crl.O.P.(MD)No.397 of 2025

09.01.2025