



WEB COPY

CRL OP No. 11199 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

**CRL OP No. 11199 of 2026
and Crl.M.P.No.7942 of 2026**

Sankaranarayanan
S/o Venkatraman,
77, Ramakrishna Nagar,
Kallukuzhi,
Trichy.

..Petitioner(s)

Vs

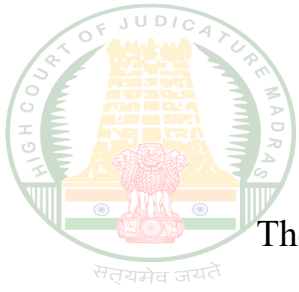
The State Rep By, The Sub-Inspector Of Police
PEW Gobi Police Station,
Erode.
Crime No.155 of 2025.

..Respondent(s)

Criminal Original Petition is filed under Section 528 of BNSS, to call for the records of the proceedings in CC.No.156 of 2025 on the file of the Court of Judicial Magistrate, Sathyamangalam and quash the same and pass such further or other orders.

For Petitioner(s): Mr.Karthikeyan

For Respondent(s): M/S.R. RAJASEKARAN GA (CRL. SIDE)

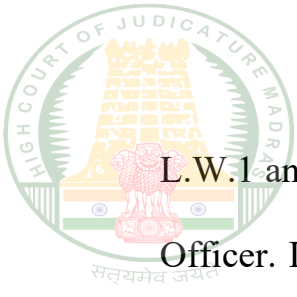


ORDER

The petitioner / accused facing trial in C.C.No.156 of 2025 for the offences punishable under Section 4(1)(C) of the Tamil Nadu Prohibition (Amendment) Act, 2024, had filed this quash petition.

2. The case against the petitioner is that on 28.04.2025 at about 13.00 hrs, the respondent police had intercepted the vehicle of the petitioner at Hasanur Check Post and found that the petitioner was in possession of three bottles containing 650 ml Carlsberg Smooth Premium Beer, which were being transported from the State of Karnataka.

3. The contention of the petitioner is that the petitioner is a General Manager in a reputed construction company and that, after attending a business meeting at Mysore, he was travelling along with his friends from Mysore to Trichy. When he was nearing Hasanur Check Post, the vehicle of the petitioner was intercepted by the respondent police and three bottles of beer, each containing 650 ml, were found in the vehicle. The learned counsel for the petitioner submitted that the liquor was only for personal consumption and that there is no iota of material to show that the petitioner had illicitly transported liquor bottles for gain. Further, though the seizure was made in a public place, no public witness was examined in this case. After the filing of the charge sheet, the prosecution listed only three witnesses, all of whom are police personnel.



L.W.1 and L.W.2 are the witnesses to the seizure and L.W.3 is the Investigating Officer. In the Seizure Mahazar, nothing has been stated regarding any distinct mark to show that the bottles originated from the State of Karnataka. Further, no chemical examination was conducted on the contents of the bottle. Hence, filed this quash petition.

4. The learned Counsel for Government of Tamil Nadu (Criminal Side) submitted that, in this case, the respondent police intercepted the petitioner's vehicle at Hasanur Check Post and found three bottles of beer in the vehicle. When questioned, the petitioner was unable to give a proper explanation but admitted that the bottles had originated from the State of Karnataka. Upon completion of the investigation, charge sheet was filed. He further submitted that no member of the public had come forward to witness the seizure and that the seizure took place only in the presence of L.W.1 and L.W.2.

5. Considering the submission and upon perusal of the materials, it is seen that a bag containing three bottles of 650 ml. Carlsberg Smooth Premium Beer was seized from the petitioner when he was returning from a business meeting from Mysore. Though it has been stated in the Seizure Mahazar that the said liquor bottles had originated from State of Karnataka, no proof has been produced to substantiate the same. Further, the petitioner had travelled along with three of his friends from Karnataka and the liquor is only for personal



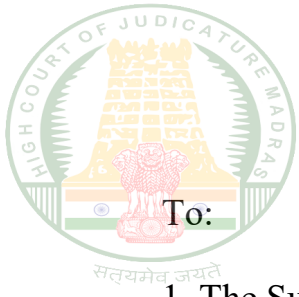
consumption and not for any illicit trade. No public witness has been examined and there is no concrete proof to show that the liquor bottles of beer, which together contain 1.95 litres of liquor, cannot, by itself, give rise to an inference that the petitioner was engaged in illicit trade. In view of the same, this Court is inclined to quash the proceedings against the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and the proceedings in C.C.No.156 of 2025 on the file of the learned Judicial Magistrate, Sathyamangalam, is hereby quashed. Connected miscellaneous petition is closed.

02-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

BKN



To:

1. The Sub-Inspector Of Police
PEW Gobi Police Station,
Erode.
Crime No.155 of 2025.

2. Judicial Magistrate, Sathyamangalam

3. Public Prosecutor, Madras High Court.



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M.NIRMAL KUMAR, J.

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