



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-06-2026

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THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 15966 of 2026

and

CRL MP No.10462 of 2026

Ranjith

Petitioner(s)

Vs

The State,
Rep. by, The Sub Inspector of Police,
PEW Gobi Police Station,
Erode District 638 452.
Cr.No.373 of 2025.

Respondent(s)

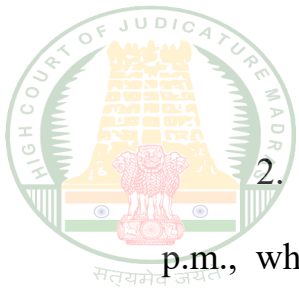
PRAYER: Criminal Original Petition filed under Section 528 of BNSS, to call for records of the proceedings in CC.No.102 of 2026 on the file of the Court of Judicial Magistrate, Sathyamangalam and quash the same.

For Petitioner(s): Mr.I.Arunkumar

For Respondent(s): Mr.A.Amarnath
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in CC.No.102 of 2026 on the file of the learned Judicial Magistrate, Sathyamangalam.



2. The case of the prosecution is that, on 26.10.2025 at about 2.00 p.m., while the respondent police were on patrol duty, they found that the petitioner was in illegal possession of one bottle of Karnataka State IMFL namely Old Monk Special XXX Rum measuring 750 ml for resale at a higher price. The said liquor bottles were seized by the respondent police. Consequently, a complaint was lodged, and a case in Crime No.373 of 2025 was registered against the petitioner for the offence under Sections 4(1)(c) of the Tamil Nadu Prohibition (Amendment) Act, 2024.

3. 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. The allegations made in the FIR are so absurd and inherently improbable, on the basis of which no person can be prosecuted. The learned counsel further submitted that as per G.O.Ms.No.14, H.P & EVI Department, Dated 09.06.2017, a person can carry maximum of 4.5 litres of Indian Made Foreign Spirits lawfully for personal use, but in the present case, the petitioner was found in possession of 750 ml of Indian Made Foreign Liquor (IMFL). According to the petitioner, he comes under the exception category and hence, no offence is made out against him and he prays for quashing the proceedings in C.C.No.102 of 2026 on the file of the learned Judicial Magistrate, Sathyamangalam. The learned counsel for the



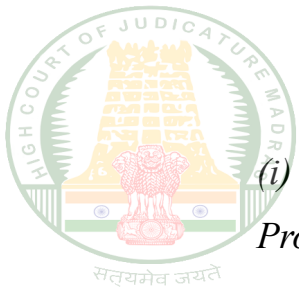
petitioner relied upon the Tamil Nadu Liquor (Possession for Personal Consumption) Rules, 1996 (G.O.Ms.No.75, P & E, dated 19.04.1996).

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4. The learned Government Advocate (Crl. Side) appearing for the respondent Police submitted that the petitioner intended to sell the bottle at a higher price for personal profit. Upon receipt of the complaint, the respondent Police reached the scene, seized the liquor bottle by way of Seizure Mahazar and arrested the petitioner. Hence, he strongly objected to quash the proceedings against the petitioner.

5. Considering the facts and circumstances of the case and also taking note of the Tamil Nadu Liquor (Possession for Personal Consumption) Rules, 1996, (G.O.Ms.No.75, P & E, dated 19.04.1996, relied upon by the learned counsel for the petitioner, it is revealed that an individual can carry 4.5 litres of Indian made Foreign spirits for his personal use. Here, in the present case, the petitioner was in possession of one bottle of Karnataka State IMFL namely Old Monk Special XXX Rum containing 750 ml of Indian Made Foreign Liquor (IMFL). For better appreciation, the relevant portion of the said Government Order is extracted hereunder:-

“2.Possession of liquor for personal consumption:- No person shall possess the liquor mentioned in column (1) of the Table below, which have already been specified under Sub-clause



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(i) of clause (j) of sub-section (i) of Section 4 of Tamil Nadu Prohibition Act, 1937 (Tamil Nadu Act X of 1937), for personal consumption, in excess of the quantity specified in the corresponding entries in column (2) thereof

S.No.	Liquor	Quantity (in Litres)
1	Indian Made Foreign Spirits	4.5
2	Foreign Liquor	4.5
3	Beer	7.8
4	Wine	9.0

6. In view of the above, this Criminal Original Petition is allowed and the proceedings in C.C.No.102 of 2026 on the file of the learned Judicial Magistrate, Sathyamangalam, is hereby quashed. Consequently, the connected Criminal Miscellaneous Petition is closed.

24-06-2026

Jd

Neutral Citation: Yes/No

To

1. Judicial Magistrate, Sathyamangalam.

2. The Sub Inspector of Police,
PEW Gobi Police Station,
Erode District 638 452.
Cr.No.373 of 2025.

3. The Public Prosecutor,
Madras High Court.



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M.NIRMAL KUMAR J.
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