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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **27.02.2026**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

Crl.O.P.(MD)No.6715 of 2025

and

Crl.MP(MD)No.4892 of 2025

Bharathiraja

... Petitioner/2nd Accused

Vs.

1. State of Tamilnadu

rep by The Inspector of Police

Prohibition Enforcement Wing (PEW)

Madurai City

(Crime No.1116 of 2021)

... Respondent/Complainant

2. Sakthimanikandan

Sub Inspector of Police

Prohibition Enforcement Wing (PEW)

Madurai City.

....Respondent/Defacto Complainant

PRAYER : Petition filed under Section 528 of BNSS, 2023, to call for records pertaining to the charge sheet in STC No.2280 of 2022 on the file of the Judicial Magistrate II Court, Madurai, and quash the same with respect to the petitioner is concerned.

For Petitioner : Mr.S.Poornachandran

For Respondents : Mr.M.Sakthi Kumar

Govt. Advocate (Crl.Side)



ORDER

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This petition has been filed to quash the impugned charge sheet in STC No.2280 of 2022 on the file of the Judicial Magistrate II Court, Madurai.

2. The learned counsel for the petitioner submitted that the First Information Report was registered at the instance of the second respondent police, in Crime No.1116 of 2021 for the offences under sections 4(1)(a) and 4(1)(i) of Tamil Nadu Prohibition Act, for the illegal possession of other State liquor bottles without any license. Though, the liquor possessed by the petitioner was within the permissible limit, the police had lodged the said first information report, which had culminated in laying STC No.2280 of 2022 before the file of the Judicial Magistrate II Court, Madurai. Challenging the same, this petition has been filed.

3. In this regard, the learned Government advocate (Crl.Side) categorically contended that though the quantity was within the permissible limit, he had possessed the same without any license which is a sheer violation of law since the same were made at Karnataka.



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4. In this regard, this Court required the petitioner to file an affidavit.

5. The learned counsel for the petitioner came forward to file an affidavit that he will not repeat the same in future, and he had purchased the same from the other State. Accepting the same, this case was adjourned to today (27.02.2026).

6. When the matter came up for hearing today, the petitioner had duly filed an affidavit dated 27.02.2026. Accepting the same, the impugned charge sheet in STC.No.2280 of 2022 on the file of the Judicial Magistrate II Court, Madurai, is hereby quashed and the Criminal Original Petition is allowed. The affidavit dated 27.02.2026 shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

27.02.2026

NCC : Yes / No
Index : Yes / No
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L.VICTORIA GOWRI, J.

dss

TO:-

1. The Judicial Magistrate II Court,
Madurai.
2. The Inspector of Police
Prohibition Enforcement Wing (PEW)
Madurai City.
3. The Sub Inspector of Police
Prohibition Enforcement Wing (PEW)
Madurai City.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Order made in
CrI.O.P.(MD)No.6715 of 2025
and
CrI.MP(MD)No.4892 of 2025

Dated
27.02.2026