



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATE : 31.08.2025

CORAM

**THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN**

Suo Motu Tr.(MD) No.5402 of 2025  
(S.T.C.No.1386 of 2022 on the file of the Judicial Magistrate Court No.III, Nagercoil,  
Kanniyakumari)

State Rep. by The Sub Inspector of Police,  
Prohibition Enforcement Wing,  
Nagercoil,  
Kanyakumari District.  
In Cr.No.457/2022

... Petitioner

Vs.

Arumuga Kadarkkarai

... Respondent

Upon perusing the documents and case records of the above S.T.C.No.1386 of 2022 on the file of the Judicial Magistrate Court No.III, Nagercoil, Kanniyakumari 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



## **ORDER**

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### **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.1386 of 2022 on the file of the Judicial Magistrate Court No.III, Nagercoil, Kanniyakumari as *Suo motu* Special Tr.Case.(MD) No.5402 of 2025 in *Suo Motu* W.P.(Crl.)(MD).No.1014 of 2025, upon proper scrutiny 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 C.C., which is pending for more than 3 year without any progress.

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

The allegation in this case is that on 17.06.2022, accused was in possession of the number of liquor bottles without license and permission and hence the case was



registered in Cr.No.457 of 2022 for offence under section 4(1)(a), 14-A of TNP Act and final report filed before the Judicial Magistrate Court No.III, Nagercoil, Kanniyakumari and the same was taken on file S.T.C.No.1386 of 2022.

#### **4. Discussion:**

The seized quantity is within the permission 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 3 years. 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.



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### **6. Conclusion:**

Accordingly, the case in S.T.C.No.1386 of 2022 on the file of the Judicial Magistrate Court No.III, Nagercoil, Kanniyakumari is quashed. This Suo Moto Transfer case is disposed of.

**31.08.2025**

sbn

**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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**K.K.RAMAKRISHNAN,J.**

sbn

Order made in  
**Suo Motu Tr.(MD) No.5402 of 2025**

**31.08.2025**