



**IN THE COURT OF THE PRINCIPAL DISTRICT MUNSIF -CUM-
JUDICIAL MAGISTRATE, GUDALUR**

**PRESENT: THIRU. G. SARAVANAKUMAR, B.A., B.L., (HON'S)
Principal District Munsif -cum- Judicial Magistrate, Gudalur.**

Monday, Dated: 27th day of July' 2026

C.C. No.123 of 2025

CNR.No. TNS070-00918-2025

The State:

Represented by the Sub Inspector of Police,

PEW- Ooty,

Cr.No.47/2025,

U/s. 4(1)(C) Tamil Nadu Prohibition Act.

-- Complainant

-Vs-

Mr. Ajesh, Aged – 38/2025,

S/o. Mr. Abram,

Nellivila House, 1-127, Renjilody Post,

Noojibalthila, Dakshina Kannada,

Karnataka.

-- Accused

CASE SUMMARY

Sl.No.	Particulars	Details
I.	Period of Remand of Accused	Nil (released on station bail)
II.	Date of filling of Final Report in court	20.09.2025
III.	Date of questioning of accused under section 240 of Cr.p.c	27.07.2026
IV.	Filling of Miscellaneous petitions and their result	Nil
V.	Date of examination in chief and cross-examination of witnesses	Nil
VI.	Date of examination of accused under section 313(1)(b) of Cr.p.c	Nil
VII.	Details of abscondence of accused and his appearance / production	Nil



VIII.	Grant of stay by superior court and the result thereof	Nil
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The Offences involved in this case having been taken cognizance and taken on file on 20.09.2025 and coming before me on 27.07.2026 for final hearing in the presence of Sub Inspector of Police, PEW - Ooty for Complainant and Mrs.A.Rabiya Beevi, Learned Advocate for Accused and upon hearing both side arguments, perusing the records and having stood over for consideration till this day, this court delivered the following

JUDGMENT

1. On the side of Complainant, the Sub Inspector of police, PEW – Ooty, has been filed Final Report under Section 193 of BNSS for the offences under Section 4(1)(C) Tamil Nadu Prohibition Act against the Accused.

THE GIST OF THE PROSECUTION CASE AS IN FINAL REPORT:

On 15.02.2025 the accused have transported Karnataka state liquor without any permission or license thereby he is committed offense punishable Under Section 4(1)(C) Tamil Nadu Prohibition Act. Hence the Investigation officer has filed Final Report against the accused under Section 193 of BNSS.

2. COGNIZANCE OF OFFENCE:-

On perusal of Final Report and material records, this court has satisfied that there are sufficient grounds for proceedings and taken cognizance the offences under section 210(1)(b) of BNSS against the accused for the Offence U/s. 4(1)(C) Tamil Nadu Prohibition Act and ordered issuance of summons to the accused under Section 227(1)(a) of BNSS.



3. COMPLIANCE OF SEC.230 OF BNSS:-

In pursuant of appearance of accused before this court, the copies of material records have been furnished to him on free of cost without any delay under section 230 of BNSS complied.

4. INITIAL QUESTION UNDER SECTION 316 OF BNSS:-

The Accused has examined under section 316 of BNSS, and the charges are explained and asked whether he pleads guilty. The Accused have pleaded guilty and filed a petition to that effect.

5. FRAMING OF CHARGES:-

Upon considering the material records and hearing of both sides, this court has presumed that the accused have committed the offenses which triable by this court and framed the charges as against the Accused for the offense U/s. 4(1)(C) Tamil Nadu Prohibition Act, and the same charges has been read over and explained to the accused and asked whether he pleads guilty or claims to be tried. The accused was pleaded guilty.

6. The point for consideration is that,

(i) whether the accused is guilty for the charge under Section 4(1)(C) Tamil Nadu Prohibition Act?

THE POINT:

It was the case of prosecution that, on 15.02.2025 the accused has transported Karnataka state liquor without any permission or license thereby he is committed offense punishable U/s. 4(1)(C) Tamil Nadu Prohibition Act.



7. POINT

7.1. Heard both side records are perused. Allegation against the accused is that he has transported,

- (i) 2 bottles of OLD MONK RUM 750 ml,
- (ii) 1 bottle of OLD MONK RUM 180 ml and
- (iii) 1 bottle of TUBORG BEER 330 ml of liquor's of Karnataka state to the state of Tamil Nadu without any permission or license.

7.2. It is necessary to refer the relevant provision of the above referred Act. The 2024 amendment act runs as follows,

In section 4 of the principal Act,—

(1) in sub-section (1),—

(a) for clause (k), the following clause shall be substituted, namely:—

“(k) being the owner of, or in-charge of, or having the management of, or in control of, or in possession of, a place, allows any of the acts specified in clauses (a) to (jj) upon such place;”.

(b) after clause (k), for the expression “shall be punished—” and clauses (a) to (c) thereunder, the following expression and clauses shall be substituted, namely:—

“shall be punished, in the case of offences—

(A) falling under clauses (aaa), (b), (f), (h) and (i), with rigorous imprisonment for a term not less than three years, which may extend to seven years and with fine which shall not be less than two lakh rupees but which may extend to three lakh rupees;

(B) falling under clauses (aa) and (k), with rigorous imprisonment for a term



not less than two years, but which may extend to five years and with fine which shall not be less than one lakh rupees but which may extend to two lakh rupees;

(C) falling under other clauses, with imprisonment for a term not less than one year, but which may extend to three years and with fine which shall not be less than fifty thousand rupees but which may extend to one lakh rupees:

Provided that notwithstanding anything contained in clause (A), clause (B) and clause (C) above, offences relating to the transport, possession and consumption of any liquor specified by the State Government under sub-clause (i) of clause (j) which are manufactured and sold in accordance with the provisions of this Act and the rules made thereunder, shall be punished with imprisonment for a term which may extend to one year or with fine which shall not be less than twenty five thousand rupees but which may extend to fifty thousand rupees or with both:”

(c) in the existing proviso, for the expression “Provided that”, the expression “Provided further that” shall be substituted;

(2) in sub-section (1-A), for clauses (i) and (ii), the following clauses shall be substituted, namely:—

“(i) if death has ensued due to its consumption, with rigorous imprisonment for life and with fine which shall not be less than ten lakh rupees; and

(ii) in any other case, with rigorous imprisonment for a term not less than five years, but which may extend to ten years and with fine which shall not be less than five lakh rupees but which may extend to ten lakh rupees.”.

7.3. As per the proviso clause of (c) of Section 4(1)(C) of TNP Act. The punishment for the offense is that which may extend to 1 year or with fine which



shall not be less than Rs.25,000/- which may extend to Rs.50,000/- or with both.

7.4. In the case in hand the accused pleaded guilty and filed a petition admitting is guilty. Since the accused is admitted guilty. This court found that the accused has committed the offense punishable U/s. 4(1)(C) of TNP Act. The record reveals that there is no previous case as against the accused. Considering there is no any other case is pending as against the accused this court is inclined to impose only fine to the accused.

8. CONCLUSION

In the result,

(i) The accused is found guilty for the offences charged under Section 4(1)(C) of TNP Act convicted U/s. 275 of BNSS and imposed fine of Rs.40,000/-. For the offence U/s. 4(1)(C) of TNP Act. If in default shall undergo simple imprisonment for 30 days.

9. Properties in P.R.No.179/2025, 2 bottles of OLD MONK RUM 750 ml, 1 bottle of OLD MONK RUM 180 ml and 1 bottle of TUBORG BEER 330 ml, with alcoholic content are already destroyed on 29.11.2025, Panchanama also prepared to that effect. Hence, No property order is passed herein.

Dictated to the Typist and directly typed by him, corrected and pronounced by me in open court dated this 27th day of July 2026.

**Sd/- G. SARAVANAKUMAR
PRINCIPAL DISTRICT MUNSIF -CUM-
JUDICIAL MAGISTRATE, GUDLAUR.**