

**IN THE COURT OF DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE
UTHUKULI**

Present : Thiru. B.Dharaneether. B. A., L L M.,
District Munsif cum Judicial Magistrate,
Uthukuli.

Dated : Monday, the 30th day of March 2026

S.T.C. No. 119 of 2026

(CNR No.TNTI23-000548-2026)

State

rep. by Sub Inspector of Police,

Uthukuli Police Station

(Crime No.43 of 2026)

... Complainant

Vs.

Vijay

S/o. Periyasamy

Age: 20 years

... Accused

This case having come up for final hearing on 30.03.2026 before this Court in the presence of Tmt. Hema, B.A., B.L., Assistant Public Prosecutor Grade I appearing for the State and advocate Tr.S.Dhanapal appearing for the accused and upon perusing the entire materials available on record and having stood over for consideration, this Court delivers the following:

JUDGMENT

This case has been taken on file on the basis of the Final Report submitted by the Sub Inspector of Police, Uthukuli Police Station in Crime No.43 of 2026 for the offence punishable under Section 4-A of the Tamil Nadu Prohibition Act.

The brief case of the prosecution is that on 01.02.2026 at about 08.00 p.m., near Thimmanayakkanpalayam Railway Bridge, within the jurisdiction of Uthukuli Police Station, the accused was found consuming liquor in a public place and thereby committed the offence under Section 4-A of the Act.

On appearance of the accused, copies were furnished under Section 230 of the Bharatiya Nagarik Suraksha Sanhita, 2023. The substance of accusation under Section 274 BNSS was explained to the accused. The accused denied the accusation and claimed to be tried.

In order to prove the case, the prosecution examined PW1 and marked Ex.P1 to Ex.P3 and Material Objects M.O.1 and M.O.2.

PW1, the Head Constable, has deposed that on 01.02.2026, while on prohibition enforcement patrol along with the Sub Inspector of Police and other police personnel, they received information and proceeded to the place of occurrence. At about 20.00 hours, near Thimmanayakkanpalayam Railway Bridge, they found the accused consuming liquor in a public place. On seeing the police, the accused attempted to escape but was apprehended. Upon enquiry, the accused admitted that he had consumed liquor. PW1 has further deposed that

one 180 ml “Express” brandy bottle containing liquor and a plastic tumbler were seized from the accused under a mahazar.

The evidence of PW1 is consistent and inspires confidence. There are no material contradictions or discrepancies. Though no independent witnesses have been examined, the testimony of an official witness cannot be rejected on that ground alone, particularly when it is reliable and trustworthy.

The defence has not elicited anything in the cross-examination to discredit the prosecution case. The suggestions put to PW1 have been denied and no material contradictions have been brought on record.

As per Section 4-A of the Tamil Nadu Prohibition Act, any person found in a state of intoxication in a public place is liable for punishment. Thus, the prosecution is required to establish that (i) the accused was in a state of intoxication and (ii) such intoxication was in a public place.

In the present case, the evidence of PW1 clearly establishes that the accused was found consuming liquor in a public place. The seizure of liquor bottle and plastic tumbler further corroborates the prosecution version. The place of occurrence, namely near a railway bridge, is undoubtedly a public place.

It is to be noted that in cases under Section 4-A, the question of permissible quantity does not arise. The gravamen of the offence is being in a state of intoxication in a public place. Hence, the defence relating to permissible possession is not relevant to the present case.

On careful appreciation of the entire evidence on record, this Court finds that the prosecution has proved beyond reasonable doubt that the accused was found in a state of intoxication in a public place and thereby committed the offence under Section 4-A of the Tamil Nadu Prohibition Act.

RESULT

In the result, the accused Vijay is found guilty of the offence under Section 4-A of the Tamil Nadu Prohibition Act and he is hereby convicted.

The accused is sentenced to pay a fine of Rs.1,000/- (Rupees One Thousand only). In default of payment of fine, he shall undergo Simple Imprisonment for a period of one week.

The bail bond, if any, shall stand cancelled. Sureties are discharged.

The case properties in P.R.No. 92/2026 are ordered to be destroyed and the plastic tumbler is ordered to be discarded. The empty glass bottles shall be confiscated to the State.

Directly typed by me in my official laptop and pronounced in open Court on this the 30th day of March, 2026.

**District Munsif cum Judicial Magistrate,
Uthukuli.**

APPENDIX**I. LIST OF PROSECUTION WITNESSES**

Sl. No.	Witness No.	Name
1	PW1	Rangaraj, Head Constable

II. LIST OF DEFENCE WITNESSES

Nil

III. LIST OF PROSECUTION DOCUMENTS

Sl. No.	Exhibit No.	Description
1	Ex.P1	First Information Report
2	Ex.P2	Seizure Mahazar
3	Ex.P3	Form 91

IV. LIST OF DEFENCE DOCUMENTS

Nil

V. LIST OF MATERIAL OBJECTS

Sl. No.	M.O. No.	Description
1	M.O.1	180 ml Express Brandy bottle (with liquor)
2	M.O.2	Plastic tumbler

**District Munsif cum Judicial Magistrate,
Uthukuli.**

NOTE :

- 1) Accused convicted
- 2) Result of this case informed to the concerned department.
- 3) Date of Judgment 30.03.2026
- 4) Date of Uploading 30.03.2026