

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2017

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

CRL.R.C.No.15 of 2014

The State:

The Additional Superintendent of Police,
(Prohibition & Enforcement Wing)

Villupuram District.

(Cr.No.187 of 2008)

... Petitioner

Vs.

Satish

... Respondent

Criminal Revision Case filed under Sections 397 and 401 of the Code of Criminal Procedure Code to set aside the order dated 19.06.2009 in C.A.No.11 of 2009 on the file of the learned Principal Sessions Judge, Villupuram and revising the order issued in CrI.M.P.No.2113 of 2008 on the file of the learned Judicial Magistrate, Gingee, dated 14.07.2008 and allow the Criminal Revision.

For Petitioner : Mr. R. Ravichandran,
Government Advocate (Crl. Side)

For Respondent : No Appearance

ORDER

The revision has been filed against the order of allowing the respondent's application filed under Section 451 r/w.457 IPC to return the Tata Sumo vehicle bearing Registration No.TN 31 U 7038.

2. The respondent is an accused in Cr.No.187 of 2008 for the offences under Sections 4(1-A), 4(1) (aaa) of Tamil Nadu Prohibition Act r/w 5,6,11 Tamil Nadu Rectified Sprit Rules. The vehicle involved in the crime was seized by the petitioner. The respondent claiming to be the owner of the vehicle filed the application under Section 451 Cr.P.C., is seeking the return of the vehicle. The trial Court dismissed the same on the ground that the confiscation proceedings are pending before the competent Authority. Challenging the same, the accused has filed an appeal before the Sessions Court, which ordered for return of vehicle, pending the confiscation proceedings. Challenging the same, the present Revision petition has been filed by the State.

3. Though notice has been served on the respondent and his name was printed in the cause list, none appear for the respondent.

4. Today, when the matter was taken up, learned Government Advocate [Crl.Side] submitted that already by an order dated 02.07.2008, the competent Authority has confiscated the vehicle.

5. In view of the same, nothing remains for adjudication, since already the vehicle has been confiscated no further order is required in this Criminal Revision.

6. Accordingly, the Criminal Revision Case is dismissed.

07.04.2017

Index:Yes/No
Internet:Yes/No

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To

1. The Principal Sessions Court,
Villupuram.
2. The Judicial Magistrate Court,
Gingee.
3. The Public Prosecutor,
High Court, Madras.

V.BHARATHIDASAN, J.

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