



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 03.08.2017

CORAM

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Crl MP(MD)No.6926 of 2017

in

Crl RC(MD)SR No.22209 of 2017

Chithirai Selvam

... Petitioner

Vs

The Inspector of Police,
Sivagangai Prohibition and Enforcement Wing,
Sivagangai
Crime No.1139 of 2016.

... Respondent

Petition filed under Section 5 of the Limitation Act praying to condone the delay of 80 days in preferring the Revision before this Court.

For Petitioner : Mrs.K.Vidya

For Respondent : Mr.C.Ramesh

Additional Public Prosecutor

ORDER

Criminal Revision Case has been filed against the dismissal order passed in the petitioner's application filed under Section 451 Cr.P.C., seeking return of vehicle. Since the revision has been filed with a delay of 80 days, the petitioner has also filed an application to condone the delay.

2.When the matter was taken up for hearing, the learned Additional Public Prosecutor appearing for the respondent submitted that already confiscation proceeding has been initiated and the vehicle in question has been confiscated by the authorities concerned by the order dated 22.12.2016.

3.Considering the fact that the vehicle in question has already been confiscated, the petitioner cannot seek for return of vehicle before the Court. Hence, the Criminal Revision Case is not maintainable and the present petition seeking to condone the delay of 80 days cannot be allowed.

4.In fine, this Petition is dismissed. Consequently, Crl RC(MD)SR No.22209 of 2017 is rejected. However, liberty is given to the petitioner to challenge the confiscation order, if he is so advised.

Sd/-

Assistant Registrar(AE)

/ True Copy /

Sub Assistant Registrar(C.S.)



1.The Inspector of Police,
Sivagangai Prohibition and Enforcement Wing,
Sivagangai.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.J.LAWRANCE, Advocate SR.No.70544

MJ

MAS/JC/SAR2:10.08.2017:2P-4C

Cr1 MP(MD)No.6926 of 2017
in

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03.08.2017