



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.08.2017

CORAM

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

CrI.R.C(MD) .No.674 of 2017

and

CrI MP(MD)no.7661 of 2017

Thirumalai

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Prohibition Enforcement Wing,
Tirunelveli District.

2.The State rep.by
Inspector of Police,
Palayamkottai Police Station,
Tirunelveli District,
Crime No.1231 of 2016

... Respondents

Prayer : Criminal Revision Case filed under Section 397 r/w 401 to call for records in Cr.M.P.No.3551 of 2016 and set aside the order passed in Cr.M.P.No.3551 of 2016 dated 31.07.2017 by the Judicial Magistrate No.I, Tirunelveli.

For Petitioner : Mr.KA.Raama Krishnan

For Respondents : Mr.C.Mayilvahana Rajendran,
Additional Public Prosecutor

O R D E R

Challenging the order, dismissing the petitioner's application filed under Section 451 Cr.P.C., seeking return of vehicle, the present Criminal Revision Case has been filed.

2.When the matter was taken up for hearing, the learned Additional Public Prosecutor appearing for the respondents submitted that the vehicle in question has already been confiscated by the competent authority by the order dated 25.02.2017.

3.Considering the fact that the vehicle in question has already been confiscated, the petitioner cannot maintain a petition under Section 451 of Cr.P.C. Hence, this Criminal Revision Case deserves to be dismissed.



4. In fine, this Criminal Revision Case is dismissed. However, it is open to the petitioner to challenge the order of confiscation, if he is so advised. Consequently, CrI MP(MD) No. 7661 of 2017 is closed.

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Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate No.I, Tirunelveli.
2. The Deputy Superintendent of Police,
Prohibition Enforcement Wing,
Tirunelveli District.
3. The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.R.C (MD) No. 674 of 2017

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