



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.08.2018

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CRL.R.C.(MD)No.228 of 2018

WEB COPY

Annakodi

... Petitioner/Petitioner/Owner
of the vehicle

-vs-

1. The State represented by
The Sub-Inspector of Police,
Sholavandan Police Station,
Madurai District.
(Crime No.604 of 2017)

2. The Additional District
Superintendent of Police(ADSP)
Prohibition Enforcement Wing,
Madurai District.

... Respondent / Respondent
/ Complainant

(R2 impleaded suo motu as per order of this
Court dated 26.06.2018 in Crl.R.C.(MD).No.228/18)

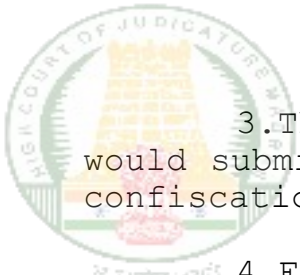
PRAYER: Criminal Revision Case filed under Sections 397 r/w 401 Cr.P.C., praying to call for the entire records pertaining to the order passed by the learned Judicial Magistrate, Vadipatti, Madurai District in Crl.M.P.No.496 of 2018 vide his order dated 02.04.2018 and set aside the same and consequently, direct the above said learned Judicial Magistrate to return the vehicle namely Ape Auto-Three Wheeler bearing its registration No.TN58 W 5746 in connection with the case in Crime No.604 of 2017 pending on the file of the respondent, to the petitioner.

For Petitioner : Mr.M.Pitchaimuthu
For Respondents : Mr.A.Robinson,
Government Advocate (Crl.Side)

ORDER

Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondents.

2.It is reported by the learned Government Advocate (Crl.side) that the confiscation proceedings has been initiated and the owner of the vehicle, who is the petitioner herein has been informed about it as early as 21.01.2018 and 12.02.2018, however, the petitioner has not responded to the said notices, so final order passed.



3.The learned counsel appearing for the revision petitioner would submit that no notice was served on him to participate in the confiscation proceedings.

4.From the counter, it appears that since confiscation proceedings has been initiated, prosecution oppose the return of vehicle to the revision petitioner.

5.In the above facts and circumstances, the revision petitioner is hereby directed to appear before the second respondent viz., the Additional District Superintendent of Police (ADSP), Prohibition Enforcement Wing, Madurai District, on 05.09.2018 and submit her explanation to the show cause notice, dated 21.01.2018 and 12.02.2018 respectively. On receipt of her explanation, the second respondent shall take appropriate decision. Thereafter, the revision petitioner is at liberty to approach the Court for appropriate relief, if necessary.

6.With the above direction, this Criminal Revision is disposed of.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar(CS-I)

To

1. The Judicial Magistrate, Vadipatti,
Madurai District.
2. The Sub-Inspector of Police,
Sholavandan Police Station,
Madurai District.
3. The Additional District Superintendent of Police(ADSP)
Prohibition Enforcement Wing,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.M.Pitchaimuthu, Advocate, SR.No.80813

CRL.R.C. (MD) No.228 of 2018
29.08.2018

NS