



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.09.2018

CORAM

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THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL.O.P.(MD)No.3531 of 2016

Thangam

... Petitioner

Vs

1.The Additional Superintendent of Police,
Prohibition Enforcement Wing,
Thoothukudi District,
Thoothukudi.

2.The Sub Inspector of Police,
PEW Police Station,
Thoothukudi.

[Crime No.53 of 2014]

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the respondents to release the petitioner's two wheeler Honda Dio bearing Registration No. TN 69 AL 5397 in pursuant to the order passed by the learned Judicial Magistrate No.I, Thoothukudi in CrMP No.406 of 2016 dated 03.02.2016.

For Petitioner : Mr.S.Deenadhayalan

For Respondents : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl Side)

O R D E R

This petition has been filed for a direction to the respondent Police to release the petitioner's two wheeler.

2.The learned Counsel for the petitioner brought to the notice of this Court the order passed by the Judicial Magistrate No.I, Thoothukudi on 03.02.2016, wherein a direction was given to the respondent Police to release the vehicle to the petitioner. However, the respondent Police has not complied with the order till date.

3.The respondent Police is duty bound to comply with the orders of the Court below. If the respondent has any grievance against the said order, the respondent should have challenged the same in the manner known to law. Till the order is in force, the respondent Police does not have any other alternative, except to comply with the order.



4.The criminal original petition is disposed of with a direction to the second respondent, to comply with the order dated 03.02.2016 made in CrMP NO.406 of 2016, within a period of one week from the date of receipt of a copy of this order.

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Sd/-

Assistant Registrar(Writs)

/True Copy/

Sub Assistant Registrar(CS-III)

dsk

To

- 1.The Judicial Magistrate No.1,
Thoothukudi.
- 2.The Additional Superintendent of Police,
Prohibition Enforcement Wing,
Thoothukudi District, Thoothukudi.
- 3.The Sub Inspector of Police,
PEW Police Station,
Thoothukudi.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.S.Deenadhayalan, Advocate in SR No.83411

CRL.O.P. (MD)No.3531 of 2016

NM/RP/SAR III/09.11.18/2P/6C.