



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2019

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 6592 of 2019

Dhanalakshmi

... Petitioner

Vs.

1. The Commissioner of Police,
Madurai City,
Madurai District.

2. The Inspector of Police,
South Gate Police Station,
Madurai City.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to release the petitioner's Yamaha Ray Z (Two Wheeler) bearing Registration No. TN 64 S 9580, which was seized on 02.03.2019 by the second respondent.

For Petitioner

: Mr. B. Arun

For Respondents

: Mr. M. Rajarajan
Government Advocate

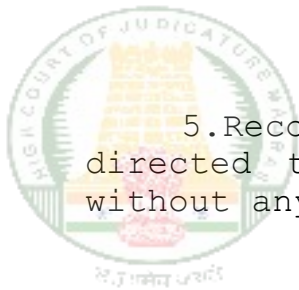
ORDER

1. The petitioner is the owner of the petition mentioned vehicle.

2. The vehicle was seized for contravention of the provision of the Tamil Nadu Prohibition Act. F.I.R has been registered against the petitioner's husband who was using the vehicle during the relevant point of time. The petitioner is not an accused.

3. Keeping the vehicle in the custody of the second respondent is not going to serve any purpose. Of-course, it is open to the second respondent to take appropriate confiscation proceedings, if warranted under law.

4. This Court has granted only interim custody to the petitioner. The petitioner through her counsel undertakes that she would not alienate the vehicle till the disposal of the case registered in this regard. The petitioner would also co-operate the enquiry, if any initiated by the respondents.



5. Recording the said undertaking, the second respondent is directed to return the vehicle to the petitioner forthwith and without any delay. The writ petition stands allowed. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS I)

To

1. The Commissioner of Police,
Madurai City,
Madurai District.

2. The Inspector of Police,
South Gate Police Station,
Madurai City.

+1cc to Mr. B. ARUN, Advocate, SR.No. 55209

+1cc to M/s. Special Government Pleader, SR.No. 55647

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RMI

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