

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.08.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.12707 of 2020

G.Saravanaperumal,
S/o.Gopal,
No.4/1, Andhal Nagar, 1st Street,
Porur, Chennai-116. Petitioner

Vs.

1. The Additional Superintendent of Police,
Prohibition Enforcement Wing,
Thiruvallur District.
2. The Inspector of Police,
Tiruvallur Taluk Police Station,
Tiruvallur. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., prayed to direct the second respondent to return the car bearing Registration No. TN 10 AP 3388 RENAULT DUSTER in Crime No.1428 of 2020 to the petitioner.

For Petitioner :Mr.N.Elayaraja

For Respondent :Mr.S.Karthikeyan

Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed seeking for direction to the second respondent to release the car bearing Registration No. TN 10 AP 3388 RENAULT DUSTER in Crime No.1428 of 2020.

2.The case of the prosecution is that while the respondent police is on vehicle check up, the petitioner along with his friends were found in possession of some liquor bottles. Hence, the case was registered by the second respondent police for the offence under sections 4(1)(a) of TN Prohibition Act in Crime No.1428 of 2020 dated 20.07.2020.

3.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent police.

4.This petition cannot be entertained by this Court as far as the direction to release the vehicle, which was seized by the second respondent police in pursuant to the Crime No.1428 of 2020 for the offence under sections4(1)(a) of TN Prohibition Act.

5.Considering the facts and circumstances of the case, this Court directs the second respondent to deposit the RENAULT DUSTER car bearing Registration No. TN 10 AP 3388 before the concerned Jurisdictional Magistrate Court within one week from the date of receipt of copy of this order. The petitioner is at liberty to file an appropriate petition before the concerned Jurisdictional Magistrate Court for return of vehicle. Further, on receipt of the said application if any filed by the petitioner, the Jurisdictional Magistrate concerned is directed to dispose of the said application within one week on merits and in accordance with law.

6.With the above directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Additional Superintendent of Police,
Prohibition Enforcement Wing,
Thiruvallur District.
2. The Inspector of Police,
Tiruvallur Taluk Police Station,
Tiruvallur.
3. The Public Prosecutor,
High Court, Madras.

+1cc to M/s.N.Elayaraja, advocate in Sr.27452

Cr1.O.P.No. 12707 of 2020

VSN-II (CO)
RV (10/09/2020)