

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.08.2020

CORAM

THE HON'BLE Mr. JUSTICE P.N. PRAKASH

Crl.R.C.No.723 of 2020

V.Udayakumar

... Petitioner

Vs.

State represented by
The Inspector of Police,
Mallur Police Station,
Salem.
(Crime No.158 of 2019)

... Respondent

Criminal Revision filed under Section 397 r/w 401 Cr.P.C.
Pleaded to call for the records and seeking to set aside the
order dated 19.12.2019 passed in Crl.M.P.No.1868 of 2019 on the
file of the Judicial Magistrate Court No.VI, Salem.

For Petitioner : Mr.N.Chinnaraj

For Respondent : Mrs.P.Kritika Kamal
Government Advocate
(Crl. Side)

O R D E R

This case is taken up through video conferencing.

2. This criminal revision has been filed seeking to set
aside the order dated 19.12.2019 passed in Crl.M.P.No.1868 of
2019 on the file of the Judicial Magistrate Court No.VI, Salem.

3. The petitioner's motorcycle was seized by the police on
02.10.2019 for allegedly transporting liquor bottles.

4. The petition in Crl.M.P.No.1868 of 2019 that was filed
by the petitioner before the Judicial Magistrate Court No.VI,
Salem, has been dismissed on 19.12.2019.

5. Challenging the same, the petitioner has preferred the present criminal revision petition.

6. Heard Mr.N.Chinnaraj, learned counsel for the petitioner and Mrs.P.Kritika Kamal, learned Government Advocate (Crl. Side) appearing for the respondent/State.

7. On perusal of the records, it is seen that confiscation proceedings have been initiated under Section 14(4) of the Tamil Nadu Prohibition Act, 1937, in C.No.01/ADSP/HQ/SLM.

8. In view of the same and in the light of the judgment of the Division Bench of this Court in David Vs.Sakthivel¹, the interim custody of the vehicle cannot be granted to the petitioner.

In the result, this criminal revision petition is dismissed as being devoid of merits.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

- 1.The Judicial Magistrate No.VI,
Salem.
- 2.-Do- Thro The Chief Judicial Magistrate,
Salem.
- 3.The Inspector of Police,
Mallur Police Station,
Salem.
- 4.The Public Prosecutor,
High Court,
Madras - 600 104.

Crl.R.C.No.723 of 2020

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1 2010 (1) Law Weekly Crl. 129