



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2021

CORAM:

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRIMINAL REVISION CASE NO.744 OF 2021

Dhamodharan

...Petitioner

..Vs..

State, Represented by,
The Inspector of Police,
Manavalanagar Police Station,
Thiruvallur District.
(Crime No.1719/2020)

...Respondent

PRAYER : Criminal Revision Petition filed under Section 397 read with 401 of the Criminal Procedure Code, to set aside the order dated 15.10.2020 made in C.M.P.No.2731 of 2020 on the file of the Judicial Magistrate No.II at Thiruvallur.

For Petitioner : No Appearance

For Respondent : Mr.S.Sugendran
Government Advocate (Crl. Side)

O R D E R

This Criminal Revision Petition has been filed against the dismissal of the petition seeking interim custody of the vehicle involved in prohibition offence.

2. No representation for the petitioner. Heard the learned Government Advocate (criminal side) for the respondent.

3. Learned Government Advocate (criminal side) Mr.Sugendran appearing for the respondent would submit that the petitioner is the owner of Nissan Sunny XL car bearing Registration No.TN22-DD-2680. The vehicle was seized in connection with Crime No.1719/2020 registered for the offences under Section 4(1)(a) of T.N.Prohibition Act for transporting liquor on 14.08.2020. The petitioner had filed Crl.M.P.No.2731 of 2020 seeking for return of vehicle. Meanwhile, the respondents have initiated confiscation proceedings and the vehicle has been directed to be confiscated by the proceedings of the Superintendent of Police, Thiruvallur in Proceedings No.Con/228/K.K/Thiruvallur/2020 dated



25.09.2020. He would further submit that in view of the confiscation order passed, the remedy available to the petitioner is only by filing an appeal before the District Court under Section 14(5) of the T.N.Prohibition Act.

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4.In view of the vehicle being confiscated, the remedy available to the petitioner is by filing an appeal under Section 14(5) of the Tamilnadu Prohibition Act before the Sessions Court. In view of the above, the revision is dismissed granting liberty to the petitioner to approach the Sessions Court.

Sd/-

Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

vri

To

- 1.The Judicial Magistrate No.II,
Thiruvallur.
- 2.The Inspector of Police,
Manavalanagar Police Station,
Thiruvallur District.
- 3.The Public Prosecutor,
High Court, Madras.

Crl.RC.No.744 OF 2021

GSM(CO)
RVM(26/11/2021)