



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.04.2021

CORAM :

THE HONOURABLE **Mr. JUSTICE G.ILANGOVA**

W.P. (MD).Nos.1559 & 1900 of 2021

Jothilakshmi

... Petitioner in W.P(MD).No.1559 of 2021

Kamatchi

... Petitioner in W.P(MD).No.1900 of 2021

Vs

1. The Superintendent of Police,
Superintendent of Police Office,
Sivagangai District - 630562.

2. The Inspector of Police,
Manamadurai Police Station,
Sivagangai District - 630606.

... Respondents in both Writ Petitions

Common Prayer : Writ Petitions filed under Article 226 of the Constitution of India., for the issuance of writ Mandamus directing the respondents to release the petitioners' INDICA car vehicle in bearing Registration Nos.TN-59-AS-2085 & TN-11-1827 from the custody of the 2nd respondent on the basis of the petitioners' representation dated 19.12.2020 within a stipulated time may be fixed by this Court.

For Petitioners : Mr.R.Senthilkumar
(in both Writ Petitions)

For Respondents : Mr.R.Srinivasan,
Government Advocate (Crl.Side)
(in both Writ Petitions)

COMMON ORDER

These Writ Petitions have been filed seeking a direction to the respondents to release the petitioners' Indica car vehicles bearing Registration Nos.TN-11-1827 & TN-59-AS-2085 respectively, from the custody of the second respondent on the basis of the petitioners' representation dated 19.12.2020 within a stipulated time that may be fixed by this Court.

2. The case of the prosecution is that the defacto complainant, namely, Shanmugapriya, who is working as a Village Administrative Officer of Arasanendhal Village Group, Manamadurai, who alleged in her complaint that, one Muthaiya Devar, on 30.10.2020 at 1.15. p.m, with 150 persons assembled and prevented the official duty of the defacto complainant, thereby caused the threat of spreading the corona virus. Thereafter, based on the



complaint, F.I.R has been registered in the second respondent police station for the alleged offences under Sections 143, 353, 290, 269 and 270 of I.P.C in Crime No.671 of 2020, dated 30.10.2020. Subsequently, the petitioners' Indica car vehicles bearing Registration Nos.TN-59-AS-2085 & TN-11-1827 respectively, were seized by the second respondent. Thereafter, the petitioners sent a representation on 19.12.2020, to the Respondents, but the petitioners' representation was not considered till now. If the petitioners' vehicles are allowed to be kept idle in the second respondent police station by exposing the same to sun and rain, it would certainly diminish its value. Hence, they have filed these petitions.

3. The learned Government Advocate (Crl.Side) would submit that the case in Crime No.671 of 2020 was registered on the file of the second respondent police for the alleged offences under Sections 143, 353, 290, 269 and 270 of I.P.C, based upon which, the said vehicles were seized and remanded to custody before the learned Judicial Magistrate, Manamadurai on 09.02.2021.

4. Recording the submission made by the learned Government Advocate (Crl.Side), these Petitions stand closed with a direction to the petitioner to approach the concerned Court for proper relief. No costs.

Sd/-

Assistant Registrar (Crl.Side)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Superintendent of Police,
Superintendent of Police Office,
Sivagangai District - 630562.
2. The Inspector of Police,
Manamadurai Police Station,
Sivagangai District - 630606.

W.P.(MD).Nos.1559 & 1900 of 2021

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