



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.03.2022

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

W.P.Nos.3090 & 3368 of 2022

1.Nandhakumar ... Petitioner in W.P.No.3090 of 2022
2.Nanjammal ... Petitioner in W.P.No.3368 of 2022

Vs.

1.The Deputy Superintendent of Police,
Prohibition Enforcement Wing,
Dharmapuri District.

2.The Inspector of Police,
The Prohibition Enforcement Wing Police Station,
Pennagaram, Dharmapuri District.
...Respondents in both W.Ps.

PRAYER in W.P.No.3090 of 2022: Writ Petition filed under Article 226 of Constitution of India, pleaded to issue a Writ of Mandamus or any other order, direction, writ in the nature of Writ of Mandamus, to direct the 2nd respondent to release the petitioner's vehicles namely, TAVERA CAR bearing Regn.No.TN-22-CR-3911 which was seized by 2nd respondent in Crime No.212/2021 immediately.

PRAYER in W.P.No.3368 of 2022: Writ Petition filed under Article 226 of Constitution of India, pleaded to issue a Writ of Mandamus or any other order, direction, writ in the nature of Writ of Mandamus, to direct the respondent to release the petitioner's vehicles namely, YAMAHA FAZER RG074 BSIII bearing Regn.No.TN-29-BE-2848 which was seized by 2nd respondent in Crime No.212/2021 immediately.

For Petitioners : Mr.M.Selvam - in both cases

For Respondents : Mr.A.Gokulakrishnan
(in both W.Ps) Additional Public Prosecutor

C O M M O N O R D E R

These Writ Petitions have been filed seeking to release the vehicles of the petitioners which was seized by the 2nd respondent in Crime No.212 of 2021.



2. When the matter is taken up today, the learned Additional Public Prosecutor would submit that the vehicle of the petitioners are involved in Crime No.212 of 2021 registered by the 2nd respondent for the offences under Sections 4(1)(a) and 4(1-A) of the Tamil Nadu Prohibition Act. The 2nd respondent has produced the vehicle before the Jurisdictional Court vide Form - 91 in C.P.Ref.No.338 of 2021 dated 21.09.2021.

3. In view of the above, both the writ petitions are disposed of, with a direction to the petitioners to approach the Jurisdictional Magistrate and to file appropriate application for return of property in accordance with law. On filing of such application, the Jurisdictional Magistrate shall consider the same and pass orders within a period of three weeks thereon. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

jas/tsh

To

1.The Deputy Superintendent of Police,
Prohibition Enforcement Wing,
Dharmapuri District.

2.The Inspector of Police,
The Prohibition Enforcement Wing Police Station,
Pennagaram, Dharmapuri District.

3.The Public Prosecutor,
High Court of Madras.

+2ccs to Mr.M.Selvam, SR. Nos.13890, 13891

W.P.Nos.3090 & 3368 of 2022

AD (CO)

PR (17/03/2022)