



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.02.2022

CORAM:

THE HON'BLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.R.C. (MD)No.125 of 2022

Balakumar

... Petitioner

Vs.

The State through through
The Inspector of Police,
Viruveedu Police Station,
Dindigul District.
(Crime No.443 of 2021)

... Respondents

Prayer: This Criminal Revision Petition filed under Section 397 r/w 401 Cr.P.C. to call for the entire records pertaining to the order of the learned Judicial magistrate, Nilakkottai, dated 17.12.2021 made in Cr.M.P.No.3114 of 2021 and set aside the order in respect of return of properties of two wheeler and amount of a sum of Rs.5410/-.

For Petitioner : Mr.K.Arunraj

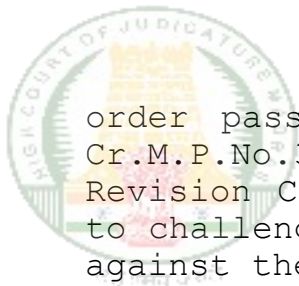
For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor(Crl.Side)

ORDER

This Criminal Revision Petition has been filed to set aside the order passed by the learned Judicial Magistrate, Nilakkottai, in Cr.M.P.No.3114 of 2021, dated 17.12.2021.

2.The case of the prosecution is that the petitioner owned a Pulsar two-wheeler bearing registration No.TN 63 F 8463. The petitioner involved in the Crime No.443 of 2021, registered for the offences under Section 294(b), 353, 506(1) of IPC r/w Sections 4(1) (a) and 4(1)(1) of Tamil Nadu Prohibition Act, 1937. Thereafter, the said vehicle was seized along with Vivo cell phone and a sum of Rs.5410/- for the reason that the petitioner had transported nine bottles of brandy without any valid permit and produced before the concerned jurisdictional Magistrate. Therefore, the petitioner filed a petition for return of the same along with his cellphone for interim custody. The learned Magistrate ordered to return the cellphone in favour of the petitioner and in respect of the return of vehicle, it was dismissed for the reason that the said vehicle was already confiscated on 04.12.2021 itself.

3.In view of the above, this Court finds no infirmity in the
<https://hcservices.ecourts.gov.in/hcservices/>



order passed by the learned Judicial Magistrate, Nilakkottai, in Cr.M.P.No.3114 of 2021, dated 17.12.2021. Therefore, this Criminal Revision Case is dismissed. However, the petitioner is at liberty to challenge the confiscated proceedings in a manner known to law as against the vehicle bearing Registration No.TN 63 F 8463.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

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 Judicial Maigstrate, Nilakottai.
- 2.The Inspector of Police,
Virusvedu Police Station,
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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_RD(02.03.2022) 2P 4C