



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.04.2022**

CORAM:

THE HONOURABLE MR.JUSTICE **C.SARAVANAN**

W.P. (MD) No.19747 of 2021

Nagajothi

... Petitioner

/vs./

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

2.The Inspector of Police,
Peraiyur Police Station,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to release petitioner two wheeler Vehicle bearing Reg.No.TN 65AV 9579 Vega 110, which was seized by the 2nd respondent on 20.11.2020 in pursuance to the registration of Crime No.258 of 2020 on the file of the 2nd respondent forthwith in accordance with law by considering the representation dated 20.03.2021 and for consequential orders.

For Petitioner : Mr.G.Vishnuram

For Respondents : Mr.M.Prakash
Additional Government Pleader

ORDER

The petitioner has filed this writ petition for a Mandamus to direct the respondents to release the petitioner's two wheeler bearing Reg.No.TN 65 AV 9579 Vega 110, which was seized by the 2nd respondent on 20.11.2020 in pursuance to the registration of Crime No.258 of 2020 on the file of the 2nd respondent forthwith in accordance with law by considering the representation of the petitioner dated 20.03.2021.

2.There is no merits in this writ petition. Already an order has been passed in connected writ petition in W.P.(MD) No.5988 of 2022 under similar circumstances. The relevant portion from the said order reads as under:-

"2.There is no merits in this writ petition. The petitioner has to move appropriate application before the competent Magistrate for releasing the vehicle, in terms of Section 453 of the Code of Criminal Procedure.



3.The petitioner is therefore directed to approach the competent Magistrate's Court for return of the vehicle."

3.In the light of the above, I am inclined to dispose of this writ petition by granting liberty to the petitioner to approach the competent Magistrate's Court for return of the vehicle.

4.The writ petition stands disposed of, in terms of the above observation. No costs.

Sd/-

Assistant Registrar (WRITS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

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

2.The Inspector of Police,
Peraiyur Police Station,
Ramanathapuram District.

+1 CC to M/s.SPL.GP (SR-17183[F] dated 07/04/2022)

W.P. (MD) No.19747 of 2021
06.04.2022

KS (CO)

RK(22/04/2022) 2P 4C