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Crl.O.P.No.5663 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.5663 of 2023

Devaraj

... Petitioner

Vs.

The State Represented by,
Station House Officer,
Prohibition Enforcement Wing,
Kottakuppam Police Station,
Villupuram District.
Crime No.357 of 2021.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to set aside the order dated 23.06.2022 made in Crl.R.P.No.262 of 2021 on the file of the learned Principal Sessions Judge, Villupuram confirming the order dated 07.10.2021 made in Crl.M.P.No.764 of 2021 on the file of the learned Judicial Magistrate, Vanur, consequently, direct the respondent to return the petitioner's vehicle MAHINDRA SCORPIO CAR bearing Registration No.TN 22 BS 1815 to the petitioner as interim custody.

For Petitioner : Mr.G.Balamanikandan
For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)



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ORDER

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This Criminal Original Petition has been filed to set aside the order dated 23.06.2022, passed in Crl.R.P.No.262 of 2021, on the file of the Principal Sessions Judge, Villupuram, confirming the order dated 07.10.2021, passed in Crl.M.P.No.764 of 2021, on the file of the learned Judicial Magistrate, Vanur, consequently, direct the respondent to return the petitioner's vehicle MAHINDRA SCORPIO CAR bearing Registration No.TN 22 BS 1815 to the petitioner as interim custody.

2.When the matter is taken up, the learned Government Advocate (Crl.Side) submitted a copy of the order showing confiscation of the vehicle bearing No.TN22BS1815, passed by the Additional Superintendent of Police, Prohibition Enforcement Wing, vide proceedings in Na.Ka.No.185/Koo.Kaa.Ka/MaVi/ViZhu/2021, dated 20.06.2022.

3.In view of the passing of confiscation order, this Court cannot entertain this petition seeking to set aside the order dated 23.06.2022, passed in Crl.R.P.No.262 of 2021, on the file of the Principal Sessions



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Judge, Villupuram, confirming the order dated 07.10.2021, passed in
Crl.M.P.No.764 of 2021, on the file of the Judicial Magistrate, Vanur.

4. Accordingly, this Criminal Original Petition is dismissed.

09.06.2023

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Internet: Yes

Index: Yes/No

Speaking/Non speaking order

To:

1. The Principal Sessions Judge, Villupuram.

2. The Judicial Magistrate, Vanur.

3. The State Represented by,
Station House Officer,
Prohibition Enforcement Wing,
Kottakuppam Police Station,
Villupuram District.
Crime No.357 of 2021.



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G.CHANDRASEKHARAN, J.
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