



Crl.R.C.No.1409 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2023

CORAM

THE HONOURABLE MRS. JUSTICE **R. HEMALATHA**

Crl.R.C.No.1409 of 2023

Mohanakrishnan

... Petitioner

Vs.

State Rep. by
The Inspector of Police,
P.E.W. Madhranthakam Police Station,
Chengalpet District.
(Crime No.440 of 2022)

... Respondent

Prayer : Criminal Revision filed under Section 397 r/w. 401 of Criminal Procedure Code to set aside the order dated 08.09.2022 made in Crl.M.P.No.2644/2022 on the file of Judicial Magistrate No.1, Madhuranthakam, Chengalpet District.

For Petitioner : Mr.S.Thiyagarajan

For Respondent : Mr.R.Vinothraja, GA (Crl. Side)

ORDER

This criminal revision is directed against the orders dated 08.09.2022 made in Crl.M.P.No.2644/2022 passed by the learned Judicial Magistrate No.I, Madhuranthakam, Chengalpet District.

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2. On 21.05.2022, the respondent police while conducting routine vehicle check up on Orathi – Thozhupedu Road intercepted a car bearing Reg.No.PY-01-CC-5434. The inmates of the car were found in illegal possession of spirituous liquor. They were arrested and FIR in Crime No.440/2022 was registered against them for the offences under Sections 4(1)(aaa), 4(1-A) of Tamilnadu Prohibition Act r/w.6 & 11 of Tamilnadu Rectified Spirit Rules, 2000. The vehicle and the contraband were seized by the police. Thereafter, the petitioner filed a petition in Crl.M.P.No.2644/2022 before the learned Judicial Magistrate No.I, Madhuranthakam, Chengalpet District for return of the vehicle and the same was dismissed by the trial court judge on the ground that confiscation proceedings had already been initiated. Challenging the same, this criminal revision is filed.

3. When the matter was taken up for hearing today, it was submitted by the learned Government Advocate (Crl.side) that confiscation proceedings have been initiated and final orders have also



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been passed by the Deputy Superintendent of Police, Chengalpet vide proceedings in C.No: 87-36/DSP/PEW/CPT/2023 dated 18.07.2023, pursuant to which, the vehicle was brought in public auction and the date of auction was also fixed as 26.07.2023.

4.Since the confiscation proceedings have already been initiated and the date of public auction is also fixed, I find no reason to allow this petition. Hence, this Criminal Revision is dismissed.

09.08.2023

Index: Yes/No
Internet: Yes/No
Speaking/Non-Speaking order
mtl



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R. HEMALATHA, J.
mtl

To

1.The Judicial Magistrate No.1, Madhuranthakam, Chengalpet District.

2.State Rep. by
The Inspector of Police,
P.E.W. Madhuranthakam Police Station,
Chengalpet District.

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