



Crl.R.C.No.1418 of 2023

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2023

CORAM

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

Crl.R.C.No.1418 of 2023

Tamilarasan

... Petitioner

Vs.

State Rep. by

The Inspector of Police,

Nannilam Police Station,

Thiruvarur District.

... Respondent

(Crime No.140/2023)

Prayer : Criminal Revision Case filed under Section 397 and 401 of Criminal Procedure Code to set aside the order passed by the District Munsif cum Judicial Magistrate Court, Nannilam in Cr.M.P.No.2551/2023 dated 31.05.2023 and consequently direct the respondent police to release the two wheeler bearing registration No.TN68-AE-1570 seized in connection with Crime No.140/2023.



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For Petitioner : Mr.T.Muruganantham

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

ORDER

The present Criminal Revision is filed against the orders dated 31.05.2023 passed in Cr.MP No.2551 of 2023 on the file of the District Munsif Cum Judicial Magistrate Court, Nannilam.

2. The revision petitioner filed the abovesaid Criminal Miscellaneous Petition under Sections 457 & 451 Cr.PC for return of property, namely, 'Honda Unicorn' Black Colour two wheeler bearing registration No.TN 68 AE 1570, which was seized on 25.03.2023 in connection with Crime No.140/2023 of Nannilam Police Station for the offence under Section 4(1)(aaa) of Tamil Nadu Prohibition Act.

3.The learned District Munsif cum Judicial Magistrate, Nannilam vide orders dated 31.05.2023, dismissed the said petition on



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the ground that since the prosecution has initiated proceedings under Section 14(4) of the Tamil Nadu Prohibition Act and the seized property, namely the vehicle, was also handed over to the Deputy Superintendent of Police, Prohibition Wing, Thiruvarur, the vehicle cannot be returned to the present revision petitioner.

4.Mr.R.Vinothraja, learned Government Advocate (Crl.side) contended that pursuant to the confiscation proceedings initiated by the respondent police, the Deputy Superintendent of Police, Prohibition Wing, Thiruvarur District, issued a show cause notice to the owner of the vehicle under Section 14(4) of the Tamil Nadu Prohibition Act, 1937.

5. In the circumstances, I do not see any reason to interfere with the orders passed by the trial court judge.

6. In the result,

i. the Criminal Revision Case is dismissed.



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ii. the orders dated 31.05.2023 passed in
Cr.M.P.No.2551 of 2023 on the file of the District
Munsif cum Judicial Magistrate Court, Nannilam, is
confirmed.

11.08.2023

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

To

- 1.The The Inspector of Police, Nannilam Police Station, Thiruvarur District.
- 2.The District Munsif cum Judicial Magistrate Court, Nannilam.



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R. HEMALATHA, J.
mtl

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