



Crl.R.C.(MD).No.80 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.01.2023

CORAM

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

Crl.R.C.(MD).No.80 of 2023

Vadivaiya

.. Petitioner/Sole Accused /
Owner

Vs.

The Inspector of Police,
Prohibition Enforcement Wing,
Thoothukudi District.

.. Respondent No.1 /Complainant

PRAYER: This Civil Revision Case is filed under Sections 397 r/w 401 of the Criminal Procedure Code, to call for the records pertaining to the impugned order passed by the Learned Judicial Magistrate No.I, Srivaigundam, in Cr.M.P No.14489 of 2022 dated 30.12.2022 and set aside the same as illegal.

For Petitioner : Mr. Karuppasamy Pandiyan.G,

For Respondent : Mr. Nambiselvan.B
Additional Public Prosecutor



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ORDER

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This Criminal Revision Case has been filed to call for the records pertaining to the impugned order passed by the Learned Judicial Magistrate No.I, Srivaigundam, in Cr.M.P No.14489 of 2022 dated 30.12.2022 and set aside the same as illegal.

2. The learned Additional Public Prosecutor would submit that the recommendation has been made on 20.12.2022 to confiscate the vehicle to the competent authority, now it is kept pending. He would further submit that even though notice has been proposed to be served, the petitioner did not receive the same and so it was served by affixture in the door.

3. The learned counsel for the petitioner would submit that even though he was very much available in his house, no notice was served upon him.

4. Since the confiscation proceedings have been initiated, the petitioner is directed receive the fresh notice from the competent authority. The competent authority is directed to send a fresh notice to the petitioner and conclude the proceedings within a month from the date of receipt of



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notice to the petitioner. If the petitioner is aggrieved the outcome of the above said proceedings, he can workout the remedy through proper proceedings. If not concluded within a month, he can revive petition.

5. With the above directions and liberty, this Criminal Revision stands dismissed.

23.01.2023

NCC:Yes/No

Index : Yes / No

Internet : Yes / No

Indu

To

1. The Inspector of Police,
Prohibition Enforcement Wing,
Thoothukudi District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVA,N,J.

Indu

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