



W.P. (MD) No. 1311 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.01.2023

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKEVALU

W.P. (MD) No. 1311 of 2023

R.Sudha

... Petitioner

Vs.

1. The Commissioner of Police,
Madurai, Madurai City.
2. The Deputy Commissioner of Police,
Prohibition Enforcement Wing,
Madurai City.
3. The Inspector of Police,
Prohibition Enforcement Wing,
Madurai City.

...Respondents

Prayer: Writ Petition filed under Article 226 of the constitution of India, to issue a writ of Mandamus, directing the Respondents to release the petitioner's NISSAN MAGNITE MT XV PREE vehicle bearing Reg. No. TN 59 CJ 9239 which was seized by the Third Respondent Police within the time stipulated by this Court.

For Petitioner : Mr. R.Venkatesan

For Respondents : Ms.M.Aasha
Government Advocate (Crl.Side)



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ORDER

Heard Mr. R.Venkatesan, Learned Counsel for the Petitioner and Ms. M.Aasha, Learned Government Advocate (Crl.Side) for the Respondents and perused the materials placed on record apart from the pleadings of the parties.

2. The Writ Petition has been filed for directing the Respondents to release the vehicle of the Petitioner bearing registration no. TN 59 CJ 9239 which has been seized by the Third Respondent.

3. It has been brought to notice by Learned Government Advocate (Criminal Side) appearing for the Respondents that a case in Crime No. 32 of 2023 has been registered on 16.01.2023 against Rajkamal, who is the husband of the Petitioner, under Sections 4(1) (aa) of the Tamil Nadu Prohibition Act, 1937 and copy of the First Information Report has been sent to the Judicial Magistrate No.VI, Madurai. In that backdrop, Learned Counsel for the Petitioner seeks permission of the Court to withdraw the Writ Petition reserving the rights of the Petitioner to file necessary application for return of



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property under Sections 451 and 457 of the Code of Criminal Procedure, 1973, for return of property before the jurisdictional Criminal Court and she has filed a memo to that effect, which has been placed on record.

In view of the same, the Writ Petition is dismissed as withdrawn with the above clarification. No costs.

24.01.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes/No

PKN

Note: (i) Issue order copy by 25.01.2023.

(ii) Registry is directed to return the original copy of the impugned orders under written acknowledgment after retaining a copy of the same for record.



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To

1. The Commissioner of Police,
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3. The Inspector of Police,
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P.D.AUDIKESAVALU,J.

PKN

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