



W.P. (MD) No. 26135 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2023

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKEVALU

W.P. (MD) No. 26135 of 2022

Parthasarathy

... Petitioner

Vs.

1.The Commissioner of Police,
Trichy City, Trichy.

2.The Inspector of Police,
PEW, Trichy City,
Trichy.

... 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 Spelndor Plus Bike bearing Reg.No.TN-48-S-9329 seized by the Second Respondent on 08.10.2022 to the Petitioner.

For Petitioner : Mr. T.Lenin Kumar

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



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ORDER

Heard Mr. T.Lenin Kumar, 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-48-S-9329 which has been seized by the Second Respondent.

3. It has been brought to notice by Learned Government Advocate (Criminal Side) appearing for the Respondents that a case in Crime No. 536 of 2022 has been registered on 08.10.2022 against one Suriya Ganth under Sections 4(1)(a) of the Tamil Nadu Prohibition Act, 1937, in which the vehicle bearing Registration No. TN 48 S 9329 belonging to the Petitioner is said to be involved and has been seized, and that a copy of the First Information Report has been sent to the Court of the Judicial Magistrate No.I, Trichy and she has filed a memo to that effect, which has been placed on

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4. 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 property under Sections 451 and 457 of the Code of Criminal Procedure, 1973, before the jurisdictional Criminal Court and he has made an endorsement to that effect in the court record.

In view of the same, the Writ Petition is dismissed as withdrawn with the aforesaid clarification.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

03.02.2023

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

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Note: Issue order copy by 11.05.2023.



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To

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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.



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P.D.AUDIKESAVALU,J.

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