



WEB COPY



Criminal Original Petition No.4277 of 2024

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 27.02.2024**

**CORAM**

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

**Criminal Original Petition No.4277 of 2024**

Shamim S  
W/o.Samimulla

... Petitioner

Vs.

State represented by its  
The Inspector of Police,  
PEW R.K.Pet Police Station,  
Tiruttani,  
Thiruvallur District - 631 209.  
Crime No.203 of 2023

... Respondent

**Prayer:** Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to set aside the order passed by learned Judicial Magistrate, Tiruttani, Thiruvallur District, in CrI.M.P.No.567 of 2024 dated 05.02.2024 and consequently, order to release the petitioner's vehicle Registration No.TN-20-DX-3532, Mahindra Bolero Neo N8 Registration date : 16/03/2023 which was seized by the respondent.

For Petitioner : Mr.B.Tamilarasan

For Respondent : Mr.A.Damodaran  
Additional Public Prosecutor

\*\*\*\*\*

**ORDER**



Criminal Original Petition No.4277 of 2024

WEB COPY

This petition has been filed challenging the order passed by learned Judicial Magistrate, Tiruttani, Thiruvallur District, in CrI.M.P.No.567 of 2024 dated 05.02.2024 and consequently, order to release the petitioner's vehicle bearing Registration No.TN-20-DX-3532, Mahindra Bolero Neo N8, seized by the respondent.

2. Heard Mr.B.Tamilarasan, learned counsel for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for respondent.

3. The Court below had dismissed the application filed by the petitioner seeking for return of vehicle mainly on the ground that confiscation proceedings have already been initiated and the same is pending before the concerned authority. Notice has also been issued to the petitioner in this regard to contest the confiscation proceedings. The reason that has been assigned by the Court below cannot be faulted. Now that the confiscation proceedings are pending before the Additional Superintendent of Police, Tiruvallur, a direction can be issued to the concerned authority to pass final orders in the confiscation proceedings after affording an opportunity to the petitioner. Hence, there shall be a



Criminal Original Petition No.4277 of 2024

direction to the Additional Superintendent of Police, Tiruvallur, to pass final orders in the confiscation proceedings within a period of ten (10) days from today. Depending upon the orders, the remedy can be worked out.

This Criminal Original Petition is disposed of with the above direction.

**27.02.2024**

**Note: Issue order copy by 28.02.2024**

Speaking Order/Non-speaking Order

Index : Yes/No

Neutral citation: Yes/No

gm

To

1. The Judicial Magistrate,  
Tiruttani, Thiruvallur District.
2. The Inspector of Police,  
PEW R.K.Pet Police Station,  
Tiruttani, Thiruvallur District - 631 209.  
Crime No.203 of 2023
3. The Public Prosecutor,  
High Court, Madras.

**N.ANAND VENKATESH, J**

gm



WEB COPY



Criminal Original Petition No.4277 of 2024

**Criminal Original Petition No.4277 of 2024**

**27.02.2024**