



WEB COPY



Crl.R.C.No.928 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.05.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

Crl.R.C.No.928 of 2024

Muthukumar

... Petitioner

VS.

State represented by
Sub-Inspector of Police
PE-Wing Police Station
Salem District
Crime No.94 of 2024

... Respondent

PRAYER: Criminal Revision Petition is filed under Section 397 read with 401 of Criminal Procedure Code, praying to set-aside the order dated 26.03.2024 made in Crl.M.P.No.1088 of 2024 on the file of the Judicial Magistrate No.II, Kallakurichi.

For Petitioner : M/s.Mounika Manikandan

For Respondent : Mr.S.Sugendran
Additional Public Prosecutor

ORDER



Crl.R.C.No.928 of 2024

WEB COPY

Aggrieved by the order passed by the learned Judicial Magistrate No.II, Kallakurichi dismissing the petition filed by the petitioner seeking return of vehicle allegedly involved in prohibition offence.

2. The learned Judicial Magistrate No.II, Kallakurichi dismissed the petition on the ground that confiscation proceedings are pending before the Competent Authority.

3. A reference to Section 14(4) of the Tamil Nadu Prohibition Act, 1937 would reveal that the petitioner is entitled to raise his objection against the confiscation proceedings before the Competent Authority. If any adverse orders are passed against the petitioner, he is entitled to file an appeal before the learned Sessions Judge as per Section 14(5) of the Tamil Nadu Prohibition Act, 1937. Therefore, when the confiscation proceedings are pending, this Court is not inclined to grant interim custody of the vehicle to the petitioner.

4. The learned Additional Public Prosecutor appearing for the



Crl.R.C.No.928 of 2024

respondent submitted that confiscation proceedings will be completed as expeditiously as possible.

5. Recording the submission made by the learned Additional Public Prosecutor for the respondent, the Criminal Revision Petition is disposed of with a direction to the respondent to ensure that the confiscation proceedings shall be completed within a period of four weeks from the date of receipt of copy of this order. No costs.

30.05.2024

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
dm

Note: The Registry is directed to mark a copy of this order to the District Collector, Kallakurichi District.

To

1.The Judicial Magistrate No.II,
Kallakurichi.

2.The Sub-Inspector of Police
PE-Wing Police Station
Salem District.



WEB COPY



Crl.R.C.No.928 of 2024

S.SOUNTHAR, J.

dm

Crl.R.C.No.928 of 2024

30.05.2024