



W.P(MD)No.4178 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.02.2024

CORAM :

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P(MD)No.4178 of 2024

Praveen

... Petitioner

Vs.

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

2. The Assistant Commissioner of Police,
Central Crime Branch,
Commissioner Office,
Madurai.

3. The Inspector of Police,
Central Crime Branch,
Madurai.

4. Tamilrasan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondents 1 and 2 to release the Petitioners's vehicle namely Tata Tigor XZA+12RTN BS6, bearing Registration No.TN28CZ4015, which



W.P(MD)No.4178 of 2024

was illegally detained at the third Respondent Police Station, by considering Petitioner's representation dated 12.02.2024.

For Petitioner : Mr.C.Hari Haran
For R-1 & R-3 : Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

The Petitioner had filed this Writ Petition seeking a Writ of Mandamus, directing the Respondents 1 to 3 release the Petitioners's vehicle namely Tata Tigor XZA+12RTN BS6, bearing Registration No.TN28CZ4015, which was illegally detained at the third Respondent Police Station, by considering Petitioner's representation dated 12.02.2024.

2. The learned Counsel for the Petitioner submitted that the Petitioner had given a representation on 12.02.2024, but the Respondent Police had not passed any orders. Further, it is the submission of the learned Counsel for the Petitioner submitted that the Petitioner is arrayed as accused. The Petitioner has no previous criminal cases against him.



W.P(MD)No.4178 of 2024

While so, without any reason, the Respondents 1 to 3 had detained the vehicle.

3. When the Petitioner approached the third Respondent, the third Respondent sought written undertaking from the Petitioner, if he pay Rs.3,25,000/-(Rupees Three Lakh Twenty Five Thousand only). Therefore, the Petitioner was forced to file this Writ Petition. The learned Counsel for the Petitioner also submitted that the Petitioner involved in offences which attracts Tamil Nadu Protection of Interest of Depositors (In Financial Establishment) Act 1997. The case in Crime No.01 of 2023 pending on the file of the third Respondent for the offences punishable under Section 420 of I.P.C and Section 5 of Tamil Nadu Protection of Interest of Depositors (In Financial Establishment) Act 1997.

4. When the vehicle had been attached on the basis of the pending case under the provision of Tamil Nadu Protection of Interest of Depositors (In Financial Establishment) Act 1997, the Petitioner herein as a owner of the vehicle has to approach the learned Sub Judge, contested under the Tamil Nadu Protection of Interest of Depositors (In



W.P(MD)No.4178 of 2024

Financial Establishment) Act 1997 and file appropriate petition seeking return of property. It is for the learned Sub Judge to peruse the materials available before him and pass appropriate orders.

5. With the above said direction, this Writ Petition is dismissed.

No costs.

23.02.2024

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

jbr

To

1. The Commissioner of Police,
Madurai City,
Madurai.
2. The Assistant Commissioner of Police,
Central Crime Branch,
Commissioner Office,
Madurai.
3. The Inspector of Police,
Central Crime Branch,
Madurai.



WEB COPY



W.P(MD)No.4178 of 2024

SATHI KUMAR SUKUMARA KURUP, J.

jbr

W.P(MD)No.4178 of 2024

23.02.2024