



WEB COPY



W.P.(MD)No.9224 of 2024

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 16.04.2024

CORAM :

**THE HON'BLE MR.JUSTICE B.PUGALENDHI**

W.P.(MD)No.9224 of 2024

R.Shanmugaraja

... Petitioner

Vs.

1.The Superintendent of Police,  
Office of the Superintendent of Police,  
Sivagangai District.

2.The Inspector of Police,  
Karaikudi South Police Station,  
Sivagangai District.

...Respondents

**Prayer :** Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the second respondent from insisting upon the petitioner to surrender his Toyota Innova Car bearing Registration No.TN 63 AE 8949 in connection with the case in Crime No.94 of 2024 registered on the file of the second respondent police station.

|                 |                              |
|-----------------|------------------------------|
| For Petitioner  | : Mr.S.Malaikani             |
| For Respondents | : Mr.T.Senthilkumar          |
|                 | Additional Public Prosecutor |

**ORDER**

The petitioner has approached this Court that the second respondent to release the petitioner's vehicle, viz., Toyota Innova Car bearing Registration



*W.P.(MD)No.9224 of 2024*

No.TN 63 AE 8949 in connection with the case in Crime No.94 of 2024 registered on the file of the second respondent police station.

2.The learned Additional Public Prosecutor submits that the vehicle bearing Registration No.TN 63 AE 8949 was involved in Crime No.94 of 2024 on the file of the Karaikudi South Police Station for the offence under Sections 147, 294(b), 323, 324, 506(1) and 379 of IPC.

3.The case of the complainant is that the accused persons have come to the place of occurrence in a vehicle bearing Registration No.TN 63 AE 8949 and caused the occurrence. The vehicle's registration number is mentioned in the FIR itself and therefore, during the investigation, they have searched for the vehicle and immediately, the petitioner has approached this Court.

4.Since the second respondent police is taking a plea that the vehicle is involved in a crime, this Court is not inclined to grant the relief as sought for. It is open to the petitioner to hand over the vehicle to the Investigating Agency. If the vehicle is seized by the second respondent police in connection with this case, the same may be remanded before the concerned Judicial Magistrate immediately. The petitioner is also having a right to file an application for the interim custody of the vehicle and the petitioner can



*W.P.(MD)No.9224 of 2024*

also workout his remedy, in the event if the vehicle is unnecessarily being roped in this case.

5.With the above directions, this Writ Petition is disposed of. No costs.

**16.04.2024**

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

To

- 1.The Superintendent of Police,  
Office of the Superintendent of Police,  
Sivagangai District.
- 2.The Inspector of Police,  
Karaikudi South Police Station,  
Sivagangai District.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



WEB COPY



*W.P.(MD)No.9224 of 2024*

**B.PUGALENDHI,J**

sjj

**Order made in**  
**W.P.(MD)No.9183 of 2024**

**16.04.2024**