



Crl.R.C.(MD)No.584 of 2024

THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 19.06.2024

CORAM

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

Crl.R.C.(MD)No.584 of 2024

Gnanasundari

...Petitioner

Vs.

The State, Rep by its,
The Inspector of Police,
PEW-Alangudi Police Station,
Pudukkottai District.

... Respondent

PRAYER: Criminal Revision Petition has been filed under Section 397 r/w 401 of Cr.P.C., to call for the records relating to the order of the learned Additional District and Sessions Judge/Presiding Officer Special Court for E.C and NDPS Cases, Pudukkottai District dated 21.03.2024 filed by the petitioner under Section 451 of Cr.P.C in Crl.M.P.No.1912 of 2024 and set aside the same as illegal and entrust the custody of the vehicle to the petitioner.

For Petitioner	: Mr.K.C.Maniyarasu
For Respondent	: Mr.B.Nambiselvan
	Additional Public Prosecutor



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ORDER

The Criminal Revision Case has been filed to call for the records relating to the order of the learned Additional District and Sessions Judge/Presiding Officer Special Court for E.C and NDPS Cases, Pudukkottai District dated 21.03.2024 in Crl.M.P.No.1912 of 2024 and set aside the same as illegal.

2. The petitioner claims to be the owner of the vehicle bearing Reg.No.TN 82 V 8737. On 01.04.2024, the respondent Police seized the vehicle as the same was used for smuggling of 30.150 Kgs of Ganja along with the Vehicle bearing Registration No. TN 55 Y 4641 and the respondent police registered a case in Crime No.73 of 2024 for the offences under Sections 8(c), r/w 20(b) (ii)(C), 25 of the NDPS Act.

3. It is not in dispute that the petitioner has approached the learned Additional District and Sessions Judge/Presiding Officer Special Court for E.C and NDPS Cases, Pudukkottai District, for returning of the said vehicle in Crl.M.P.No.1912 of 2024 and the learned Additional District and Sessions Judge/Presiding Officer Special Court for E.C and NDPS Cases, Pudukkottai



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District, vide order dated 21.03.2024, has dismissed the petition. Challenging the same, the above Criminal Revision came to be filed before this Court.

4. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and she is in no way connected with the offences alleged against the petitioner and the vehicle was never involved in any illegal activity and the respondent police without verifying the same has foisted the above false case.

5. The learned Additional Public Prosecutor appearing for the respondent police submits that already the confiscation proceedings have been initiated. Therefore, the learned Additional District and Sessions Judge/Presiding Officer Special Court for E.C and NDPS Cases, Pudukkottai District, rightly dismissed the above said petition. Hence, he prayed for dismissal of this petition.

6. Heard both sides and also perused the records and the impugned order.



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7. Perusal of records shows that already the confiscation proceedings have already been initiated before the concerned Court.

8. Since the confiscation proceedings have been initiated before the concerned Court, this Criminal Revision Case is dismissed with liberty to the petitioner to challenge the final order of the confiscation proceedings.

19.06.2024

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

1.The Additional District and Sessions Judge/Presiding Officer Special Court for E.C and NDPS Cases, Pudukkottai District.

2. The Inspector of Police,
PEW-Alangudi Police Station,
Pudukkottai District

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

4. The Section Officer,
Criminal Section(Records),
Madurai Bench of Madras High Court,
Madurai.



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K.K.RAMAKRISHNAN, J.

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