



W.P.(MD) No.14538 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.14538 of 2024

V.Kavitha

... Petitioner

Vs.

1.The District Collector,
Karur.

2The Superintendent of Police,
Karur.

3.The Inspector of Police,
Mayanoor Police Station,
Karur.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to direct the first respondent to release the vehicle bearing Registration No.TN 47 BT 6712 (Honda Dio Black) seized by the second respondent based upon the representation by the petitioner dated 13.06.2024.

For petitioner : Mr.V.S.Vigneswaran



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For respondents : Mr.S.P.Maharajan
Special Government Pleader for R1
Mr.A.Albert James
Government Advocate (Crl. Side) for R2 & R3

ORDER

Heard learned counsel for the petitioner, learned Special Government Pleader for the first respondent and learned Government Advocate (Crl.Side) for the respondents 2 & 3.

2. This Writ Petition has been filed for the relief of directing the first respondent to release the vehicle bearing Registration No.TN 47 BT 6712 (Honda Dio Black) seized by the second respondent, based upon the representation by the petitioner dated 13.06.2024.

3. It is informed by the learned Special Government Pleader for the first respondent that the vehicle is not in the custody of the first respondent.

4. The learned Government Advocate (Crl.Side) for the third respondent confirms that the vehicle is in the custody of the third respondent pursuant to the



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seizure of the subject vehicle along with the contraband quantity of liquor recovered from the vehicle.

5. The subject vehicle was apparently driven by one Vadivel, husband of the petitioner along with one Udhayakumar.

6. Having considered the submissions made by the learned counsel for the petitioner, learned Special Government Pleader for the first respondent and learned Government Advocate (CrI.Side) for the respondents 2 and 3 and having considered the fact that in keeping the vehicle idle with the third respondent, no useful purpose will be served. In order to balance the interests of the parties herein, the Court is inclined to exercise the discretion partly in favour of the petitioner by directing to release the subject vehicle to the petitioner, subject to the petitioner depositing Rs.15,000/- before the jurisdictional Magistrate Court, to the credit of the Crime No.173 of 2024 dated 18.04.2024 registered by the third respondent against the two accused persons namely, Vadivel and Udhayakumar.

7. The amount to be deposited by the petitioner will be retained as a



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security for the proposed action to be taken against the persons involved in the alleged crime *i.e.*, Vadivel, the petitioner's husband and the said Udhaya Kumar. Subject to the above compliance, the subject vehicle shall be provisionally released forthwith.

This Writ Petition is disposed of, with above directions. No costs.

Index : Yes / No
Internet : Yes / No
apd

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C.SARAVANAN, J.

apd

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