



Crl.R.C.No.596 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.06.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.R.C.No.596 of 2025

Thajudeen

..... Petitioner

Vs

The State Rep By
Inspector of Police
N-3, Muthialpet Police Station,
Chennai.

Crime No. 89 of 2023.

..... Respondent

PRAYER: Criminal Revision Case is filed under Sections 438 & 442 of Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the Order dated 21.01.2025 made in Crl.M.P.No.95 of 2025 on the file of the 1st Additional Special Court under EC and NDPS Act, Chennai and allow the above Criminal Revision.

For Petitioner : Mr.R.Thamarai Selvan

For Respondent : Mr.A.Gopinath

Government Advocate (Crl. Side)

ORDER

This Criminal Revision has been filed to set aside the order dated 21.01.2025 passed in Crl.M.P.No.95 of 2025 by the I Additional Special Court under EC and NDPS Act, Chennai, thereby dismissing the petition filed for return of property.



Crl.R.C.No.596 of 2025

2. Heard the learned counsel appearing on either side and perused

the materials available on record.

3. The petitioner is an accused in Crime No.89 of 2023 on the file of the respondent Police. It is alleged that the petitioner was found in possession of 207 grams of Cocaine along with his car bearing Registration No.TN-04-AJ-2020.

4. Pursuant to the registration of the FIR, the petitioner was arrested and remanded to judicial custody and the car, which was driven by the petitioner, bearing Registration No.TN-04-AJ-2020, was also seized by the respondent.

5. After completion of the investigation, the respondent filed a final report and the same has been taken cognizance by the Principal Special Judge (FAC), I Additional Special Judge, Principal Special Court under EC & NDPS Act, Chennai.

6. Pending trial, the petitioner filed a petition in Crl.M.P.No.95 of 2025 before the 1st Additional Special Court under EC and NDPS Act,



Crl.R.C.No.596 of 2025

Chennai, seeking interim custody of the seized vehicle. However, the Trial

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Court dismissed the said application on the ground that the vehicle was used for illegal transportation of the contraband. Since the contraband seized falls under the commercial quantity and the respondent is taking steps for confiscation of the vehicle in accordance with law, the Trial Court rightly dismissed the petition filed by the petitioner for return of vehicle.

7. In view of the above, this Court finds no infirmity or illegality in the order dated 21.01.2025 passed in Crl.M.P.No.95 of 2025 by the I Additional Special Court under EC and NDPS Act, Chennai.

8. Accordingly, this Criminal Revision Case stands dismissed.

02.06.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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Crl.R.C.No.596 of 2025

G.K.ILANTHIRAIYAN, J.

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To

1. The I Additional Special Court under EC and NDPS Act,
Chennai,
2. The Inspector of Police
N-3, Muthialpet Police Station,
Chennai.
3. The Public Prosecutor,
High Court, Madras.

Crl.R.C.No.596 of 2025

02.06.2025