



Crl.RC.No.430 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.RC.No.430 of 2025

Rakesh Sharma

... Petitioner

Vs.

1. State Rep. by

The Additional Superintendent of Police

Prohibition Enforcement Wing (P.E.W.)

Perambalur,

Perambalur District

2. The Sub Inspector of Police

Prohibition Enforcement Wing (P.E.W.)

Perambalur

(Crime No.181 of 2024)

... Respondents

Prayer: Criminal Revision Case filed under Section 397 read with Section 401 of Cr.P.C. to set aside the order passed by the learned Judicial Magistrate No.I, Perambalur in Crl.M.P.No.477 of 2024 dated 07.08.2024 and release the revision petitioner's vehicle viz., Maruti Suzuki Ertica White Colour Car bearing Regn. No.TN 46 AB 7786.



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For Petitioner : Mr.C.Samivel
For Respondents : Mr.S.Sugendran
Additional Public Prosecutor

ORDER

This Criminal Revision Case has been filed by the petitioner to set aside the order passed by the learned Judicial Magistrate No.I, Perambalur in Crl.M.P.No.477 of 2024 dated 07.08.2024 and release the revision petitioner's vehicle viz., Maruti Suzuki Ertica, while Colour Car bearing Regn. No.TN 46 AB 7786.

2. The case of the petitioner is that the petitioner is the owner of the car bearing Regn. No.TN 46 AB 7786. The said car was seized by the respondent police in connection with Crime No.181 of 2024 for the offence under Sections 4(1)(a) read with 4(1-A) of Tamil Nadu Prohibition Act. Therefore, the petitioner filed a petition in Crl.M.P.No.477 of 2024 before the Judicial



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Magistrate No.I, Perambalur seeking return of property and the same was

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dismissed by order dated 07.08.2024 on the ground that the competent authority has already initiated confiscation proceedings and notice was also served to the petitioner.

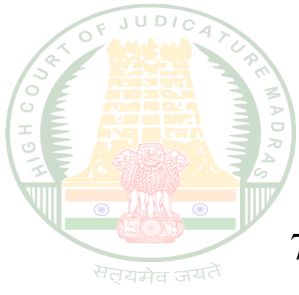
3. The learned Additional Public Prosecutor appearing for the respondents submitted that the investigation has already completed and the charged sheet has also been filed and that the competent authority has already initiated confiscation proceedings.

4. Heard both sides and perused the materials available on record.

5. It is seen that the confiscation proceedings has already been initiated by the competent authority and notice has also been served to the petitioner.

Therefore, this Court is not inclined to interfere with the order passed by the Magistrate.

6. Accordingly, this Criminal Revision Case is **dismissed**.



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7. The petitioner is at liberty to participate in the confiscation proceedings.

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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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To

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1. The Judicial Magistrate No.I,
Perambalur
2. The Additional Superintendent of Police
Prohibition Enforcement Wing (P.E.W.)
Perambalur,
Perambalur District
3. The Sub Inspector of Police
Prohibition Enforcement Wing (P.E.W.)
Perambalur
4. The Public Prosecutor
High Court of Madras



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P.VELMURUGAN. J.

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