



Crl.R.C.No.1078 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2025

CORAM:

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

Crl.R.C.No.1078 of 2025

and

Crl.M.P.No.13801 of 2025

Binitha

..... Petitioner

Vs

1. The State represented by
Additional Superintendent of Police,
Women and Children Prevention Division,
Coimbatore.

2. The State Represented by
Inspector of Police,
P.E.W- Periyanaickenpalayam Police Station,
Coimbatore.

..... Respondents

Prayer: Criminal Revision is filed under Section 438 r/w 442(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to call for the records in connection with the order dated 30.04.2025 in C.A.No.225 of 2025 passed by the learned III Additional District and Sessions Judge, Coimbatore, by confirming the order passed by the first respondent in C.No.72/ADSP/CWC/Veh.Con/CBE/2023 dated 22.04.2024 and set aside the same as illegal and improper.



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For Petitioner : Mr.S.Kingston Jerold
For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

This Criminal Revision Case has been filed challenging the order dated 30.04.2025 passed in C.A.No.225 of 2025 by the learned III Additional District and Sessions Judge, Coimbatore, thereby confirming the confiscation order passed by the first respondent dated 22.04.2024.

2. The petitioner is an accused in Crime No.2033 of 2023, registered for the offences punishable under Section 4(1)(aaa), 4(1-A), 4(1)(b), 4(1)(g), 4(1)(h), 7 of Tamil Nadu Prohibition Act and 420, 467, 468, 471 of IPC. It is alleged that, on the basis of secret information, the second respondent proceeded to the place of occurrence and found the accused engaged in the preparation of illicit liquor in the premises and running the same as a factory. The second respondent seized 2595 litres of spirit and 5415 bottles of liquor, each containing 180 along with a cash amount of Rs.7,13,730/-. The respondent also seized two two-wheelers, five cars and three lorries used for the transportation of liquor.



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3. Based on the confession statements of A2 & A3, the first accused was arrested. On recording his confession statement, the other accused persons were also arrested and remanded to judicial custody. Insofar as the vehicle bearing Registration No.KA-51-MJ-5668 (Innova Crysta) is concerned, it is owned by the petitioner, who is arrayed as A9. The said vehicle is alleged to have been used for the transportation of liquor. After registration of the FIR, confiscation proceedings were initiated and the first respondent confiscated the said vehicle along with other vehicles. Aggrieved by the same, the petitioner preferred an appeal and the same was dismissed and confirming the confiscation order. Hence, the present Criminal Revision Case has been filed.

4. The learned counsel for the petitioner submitted that she has been separated from her husband, who is arrayed as A1. She had purchased the vehicle and the same was never used for transportation of liquor as alleged by the prosecution. Further, there is no material to show that the vehicle was used for transportation of liquor. That apart, there was a delay of one day in submitting her explanation in the confiscation proceedings. Therefore, the petitioner may be given one more opportunity to putforth the defence before the confiscation authority.



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5. Heard the learned counsel appearing on either side and

perused the materials available on record.

6. A perusal of the records reveals that there are sufficient materials to show that the petitioner's vehicle was also used for the transportation of liquor. In fact, all the accused persons were running a factory engaged in the manufacture of illicit liquor. Pursuant to the registration of the FIR, all the vehicles were seized and confiscation proceedings were initiated.

7. In view of the above, this Court finds no infirmity or illegality in the order dated 30.04.2025 in C.A.No.225 of 2025 passed by the learned III Additional District and Sessions Judge, Coimbatore, confirming the confiscation order passed by the first respondent dated 22.04.2024. However, the petitioner is at liberty to participate in the auction proceedings to be conducted by the first respondent.

8. In the result, this Criminal Revision Case stands dismissed. Consequently, connected miscellaneous petition is closed.

15.07.2025

Index : Yes/No
Internet : Yes/No
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- To
- 1.The III Additional District and Sessions Judge,
Coimbatore.
 2. The Additional Superintendent of Police,
Women and Children Prevention Division,
Coimbatore.
 3. The Inspector of Police,
P.E.W- Periyanaickenpalayam Police Station,
Coimbatore.
 - 4.The Public Prosecutor
High Court of Madras,
Chennai.



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G.K.ILANTHIRAIYAN. J.

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