



CRL.R.C.No.734 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2025

CORAM

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

Crl.R.C.No.734 of 2025

D.Thamodharan

... Petitioner

Vs.

The State rep.by
The Station House Officer,
Chengalpettu P.E.Wing Police Station,
Chengalpattu District.
Cr.No.445 of 2024

... Respondent

PRAYER: Criminal Revision case has been filed under Section 438 read with 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records and set aside the order passed in Crl.M.P.No.410 of 2024 on the file of the Judicial Magistrate II, Chengalpattu in Crime No.445 of 2024 on the file of the respondent dated 29.12.2024 and direct the respondent to release the Toyota Car bearing Registration No.PY-05-Y-1440 and allow this criminal revision petition.

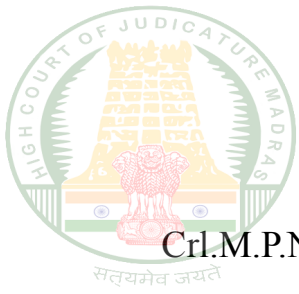
For Petitioner : Mr.G.Tamilselvan

For Respondent : Mr.A.Gopinath

Government Advocate (Crl.side)

ORDER

This Criminal Revision case has been filed to set aside the order passed in



CRL.R.C.No.734 of 2025

Crl.M.P.No.410 of 2024 dated 14.03.2025 on the file of the Judicial Magistrate

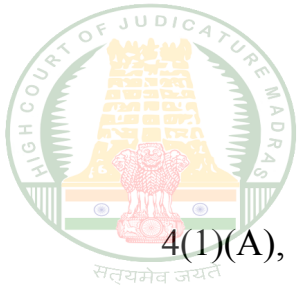
II, Chengalpattu, thereby dismissing the petition for return of property.

2. Heard the learned counsel on either side and perused the materials available on record.

3. The petitioner is an accused in Crime No.445 of 2024 alleging that on 28.12.2024, the petitioner had transported the following liquor bottles from pondy:-

- (i) Old Monk Coffee Premium Rum, each 750ml - 12 Nos.
- (ii) Corona Extra Beer, each 330 ml – 144 Nos.
- (iii) Kingfisher Ultra Tin Beer, each 500 ml – 144 Nos.
- (iv) Hoegaarden Beer, each 330 ml – 144 Nos.
- (v) Old Monk XXX Rum, each 750 ml – 24 Nos.
- (vi) London Dry Gin – 12 Nos.

4. When the respondent conducted a routine vehicle checkup at Tindivanam to Chennai National Highway, near Paranur Tollgate, the petitioner was found in possession of the above said liquor bottles and FIR has been registered in Crime No.445 of 2024 for the offences punishable under Section



CRL.R.C.No.734 of 2025

4(1)(A), read with Section 4(1)(aaa) of the Tamil Nadu Prohibition

(Amendment) Act, 2024. Pursuant to the registration of FIR, the car and the liquors were seized and deposited before the Magistrate Court. Therefore, the petitioner, being the owner of the car filed an application seeking return of property. However, it was dismissed by the Trial Court on the ground that the confiscation proceedings in respect of the said property had already been initiated by the respondent.

5. In view of the above, this Court finds no reason to interfere with the order passed in CrI.M.P.No.410 of 2024 dated 14.03.2025 on the file of the Judicial Magistrate II, Chengalpattu.

6. Accordingly, this Criminal Revision case stands dismissed.

12.06.2025

Index: Yes/No

Internet: Yes/No

Speaking/Non-Speaking order

mn



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CRL.R.C.No.734 of 2025

G.K.ILANTHIRAIYAN, J

mn

To

1. The Judicial Magistrate II,
Chengalpattu.
2. The Station House Officer,
Chengalpettu P.E.Wing Police Station,
Chengalpattu District.
3. The Public Prosecutor,
High Court, Madras.

Crl.R.C.No.734 of 2025

12.06.2025