



CRL.RC.No.777 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.06.2025

CORAM:

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

Crl.RC.No.777 of 2025

Seetha

... Petitioner

Versus

State Rep by
The Sub-Inspector of Police,
Karuveppilankuruchi Police Station,
Cuddalore District
crime No.Not known of 2025

... Respondent

PRAYER: Criminal Revision Case has been filed under Sections 438 r/w 442 of BNSS, 2023, praying to set aside the order passed in Crl.MP.No.1286 of 2025 dated 30.05.2025 passed by the learned Judicial Magistrate Court No-2, Viruthachalam and further direct the respondent to return of the vehicle TN 91 AV 1782 Hero Honda LTD splendor + XTEC (DRS).

For Petitioner : Mr.P.Muthamizhselvakumar

For Respondent : Mr.A.Gopinath,
Government Advocate(crl.side)



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ORDER

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This criminal revision case has been filed against the order passed in Crl.MP.No.1286 of 2025 dated 30.05.2025 by the learned Judicial Magistrate Court No-2, Viruthachalam, thereby the petition filed for seeking to return the vehicle of the petitioner.

2. It is seen that the petitioner owns the vehicle - Hero Honda LTD splendor + XTEC (DRS) bearing registration No.TN 91 AV 1782. The petitioner illegally transported liquor without any permission and licence. Therefore, the respondent registered FIR in crime No.118 of 2025 for the offence punishable under Sections 4(1)(A), 4(1)(C) 14 of TNP Act, pursuant to which the respondent registered FIR. The vehicle and the liquor which was transported illegally by the petitioner were seized and deposited before the trial court. Subsequently, confiscation proceedings was also initiated and order was passed on 27.05.2025, thereby the two-wheeler which was used in the crime was confiscated. Therefore, the trial court rightly dismissed the petition filed for seeking to return the vehicle of the petitioner.

3. At this juncture, the learned counsel for the petitioner would submit that even before registration of FIR, the vehicle was taken into custody



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by the respondent and without considering the same, the trial court mechanically dismissed the petition to return the vehicle.

4. On perusal of records, revealed that the petitioner illegally transported liquor without any permission or licence and as such, the respondent seized the vehicle and liquor. After registration of FIR, the vehicle has been deposited. Subsequently, under the Tamil Nadu Prohibition Act, the respondent initiated confiscation proceedings and order was passed on 27.05.2025, thereby the vehicle of the petitioner was confiscated. Therefore, the trial court rightly dismissed the petition and this Court finds no infirmity or illegality in the impugned order.

5. In view of the above observations, this criminal revision case is dismissed. However, the petitioner is at liberty to challenge the confiscation order in the manner known to law, if so advised.

18.06.2025

Neutral citation: Yes/No

Index: Yes/No

Speaking/Non speaking order

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G.K.ILANTHIRAIYAN. J,



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- To
- 1.The learned Judicial Magistrate Court No-2, Viruthachalam
 - 2.The Sub-Inspector of Police,
Karuveppilankuruchi Police Station,
Cuddalore District
 - 3.Public Prosecutor,
High Court of Madras

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