



Crl.R.C.No.1042 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2025

CORAM :

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

Crl.R.C.No.1042 of 2025

Kailash

... Petitioner

Vs.

State Represented by
Inspector of Police,
Salem Town Police Station,
Salem District.
(Crime No.616 of 2023)

... Respondent

Prayer : Criminal Revision Case filed under Section 438 r/w 442 of B.N.S.S., pleaded to set aside the order dated 14.12.2023 made in Crl.M.P.No.1279 of 2023 on the file of Special Judge for EC/NDPS Act Cases, Salem.

For Petitioner : Mr.W.Camyles Gandhi

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

This Criminal Revision Case has been preferred against the order dated 14.12.2023 passed in Crl.M.P.No.1279 of 2023 by the learned



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Special Judge for EC/NDPS Act Cases, Salem, thereby dismissing the petition for return of property.

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

3. The petitioner is the owner of the vehicle bearing Regn.No.TN-14-U-6511. It is alleged that the accused transported 1.100 kilograms of ganja and 50 pockets of banned tobacco products weighing 392 kgs in the petitioner's vehicle. The contraband was recovered and the vehicle was also seized from the accused, pursuant to the registration of the FIR in Crime No.616 of 2023 for the offences punishable u/s 8(c), 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985, Sections 6 and 24(1) of Cigarette and Other Tobacco Products Act, 2003 and Section 273 of IPC. Though the petitioner is not arrayed as an accused, the vehicle in question very much involved in the commission of the offence and the confiscation proceedings have been initiated in respect of the said vehicle. Therefore, the Trial Court rightly dismissed the petition seeking return of vehicle.



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4. In view of the above, this Court finds no infirmity or illegality

in the order dated 14.12.2023 passed in Crl.M.P.No.1279 of 2023 by the learned Special Judge for EC/NDPS Act Cases, Salem.

5. Accordingly, this Criminal Revision Case stands dismissed.

11.07.2025

Index : Yes / No
Speaking order / Non-speaking order
NCC : Yes / No
sp

To

1.The Special Judge for EC/NDPS Act Cases,
Salem.

2.The Inspector of Police,
Salem Town Police Station,
Salem District.

3.The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN, J.

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