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Crl.RC No.2375 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.R.C.No.2375 of 2024

Bharathidasan

...Petitioner/Petitioner

Vs.

State rep. by  
The Inspector of Police,  
Anaicut Police Station,  
Chengalpet District.  
Crime No.217 of 2024

...Respondent/Respondent

PRAYER: Criminal Revision Case filed under Section 438 r/w 442 of the BNSS, 2023 to set aside the order dated passed in Crl.M.P.No.593 of 2024 on the file of the District Munsif-cum-Judicial Magistrate Court, Cheyyur (FAC) dated 02.12.2024.

For Petitioner : Mr.N.Arun Kumar

For Respondent : Mr.S.Udaya Kumar  
Government Advocate (Crl.Side)



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### ORDER

The revision challenges the dismissal of the petitioner's application for return of his vehicle, which was seized during investigation in Cr.No.217 of 2024 registered for the offences under Section 4(1)(C) TNP Act r/w 4(1)(a) of TNP Act (Transporting).

2. The case of the prosecution is that the petitioner was in possession of thirty, 180 ML bottles of brandy illegally in a bike bearing Reg.No.TN-19-BX-2887.

3. Heard the learned counsel for the petitioner.

4.Mr.S.Udaya Kumar, the learned Government Advocate (Crl.Side) for the respondent, on instructions, would submit that pursuant to the seizure, the confiscation proceedings were initiated and an order directing confiscation of the seized vehicle was already passed by the concerned authority.

5. In such view of the matter, this Court is of the view that the



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prayer for return of property cannot be entertained. Hence, the order dated 02.12.2024 passed by the learned District Munsif cum Judicial Magistrate, Cheyyur (FAC), is confirmed and the Criminal Revision Case stands dismissed. However, the petitioner is at liberty to challenge the order of confiscation in the manner known to law.

**09.01.2025**

Index: Yes/No  
Speaking/Non-speaking order  
Neutral citation: Yes/No.  
*dk*

To

1. The District Munsif-cum-Judicial Magistrate,  
Cheyyur (FAC).
2. The Inspector of Police,  
Anaicut Police Station,  
Chengalpet District.



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SUNDER MOHAN, J.

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