



Crl.R.C.(MD)No.461 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.06.2025

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.R.C.(MD)No.461 of 2023

Pauldoss

... Petitioner

Vs.

The State of Tamil Nadu rep. by
The Inspector of Police,
PEW – Thiruverambur Police Station,
Tiruchirappalli.
(Crime No.790/2022)

... Respondent

PRAYER : Criminal Revision Case filed under Section 397 r/w 401 Cr.P.C, to call for the records connected with the impugned order passed in Cr.MP.No.4115/2022, dated 01.12.2022 on the file of the Learned Judicial Magistrate, Lalgudi and set aside the same as illegal, consequently direct the Learned Judicial Magistrate, Lalgudi to grant interim custody of the petitioner's vehicle Hero Splendor+ two wheeler bearing registration no.TN 48 BX 5863 to the petitioner in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani

For Respondent : Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)



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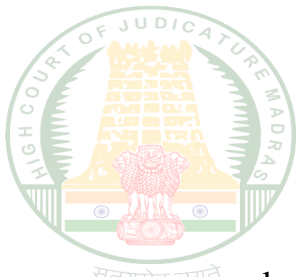
ORDER

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Challenging the order passed by the learned Judicial Magistrate, Lalgudi in Cr.MP.No.4115 of 2022 in Crime No.790 of 2020 dated 01.12.2022, this criminal revision case is filed.

2. This petitioner filed a petition under Sections 451 and 457 of Cr.P.C seeking return of his vehicle / Hero Splendor+ two wheeler bearing registration no.TN 48 BX 5863 before the learned Judicial Magistrate, Lalgudi. However, the learned Judicial Magistrate dismissed the same following the mandate of the Hon'ble Supreme Court of India in its judgment in State of M.P Vs. Uday Singh reported in 2020 12 SCC 733 and held that the jurisdiction under Section 451 of Cr.P.C was not available to the Magistrate, once the authorised officer initiated confiscation proceedings.

3. The learned Government Advocate (Crl.Side) submitted that petitioner is well aware of the fact that already confiscation proceeding has been initiated and the same could be understood from the confiscation notice which has been issued to the accused person,



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enclosed in the typedset of papers along with his criminal revision case.

4. The learned counsel for the petitioner submitted that the said notice has been issued to the accused person while the owner of the property being the revision petitioner herein.

5. In view of the same, recording the fact that the petitioner is aware that already confiscation proceeding has been initiated, this criminal revision case is dismissed, giving liberty to the petitioner to challenge the said confiscation notice.

6. With the said liberty, this Criminal Revision Case is dismissed.

06.06.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To

- 1.The Judicial Magistrate,
Lalgudi.
- 2.The Inspector of Police,
PEW – Thiruverambur Police Station,
Tiruchirappalli.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI ,J.

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Order made in
Crl.R.C.(MD)No.461 of 2023

Dated: 06.06.2025