



Crl.R.C.(MD)No.604 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.06.2025

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.R.C.(MD)No.604 of 2025

N.Kalidoss

... Petitioner

Vs.

State of Tamil Nadu rep. by
The Sub-Inspector of Police,
East Police Station, Kumbakonam,
Thanjavur District.
(Crime No.331 of 2025)

... Respondent

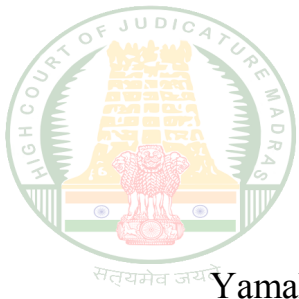
PRAYER : Criminal Revision Case filed under Section 438 r/w 442 B.N.S.S., to set aside the order in Crl.M.P.No.825 of 2024 on the file of learned Judicial Magistrate No.I, Kumbakonam, Thanjavur District, dated 28.06.2024.

For Petitioner : Mr.S.Sathyachidambaram

For Respondent : Mr.S.Ravi
Additional Public Prosecutor

ORDER

The Criminal Revision Case is filed by the revision petitioner who is the owner of a two wheeler bearing Registration No.TN83Z2673



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Yamaha Crux which was seized by the respondent police in a case in Crime No.331 of 2024 for the offenses under Section 20 (b)(ii)(A) of NDPS Act.

2. The petitioner had already filed Crl.M.P.No.825 of 2024 in Crime No.331 of 2024 before the Judicial Magistrate No.I, Kumbakonam for return of the said vehicle. However, the learned Judicial Magistrate considering the fact that the offenses involved is under NDPS Act and recording that the vehicle had been used at the time of incident for commission of the offence, had dismissed the petition. Challenging the same, this criminal revision case is filed seeking to return the aforesaid vehicle.

3. The learned Additional Public Prosecutor submitted that admittedly, the petitioner herein is not an accused in the aforesaid case and his two wheeler was used by 3 of his known people at the time of occurrence, in which the persons who were travelling in the said vehicle on secret information were arrested for carrying 450g of ganja. Pointing out the fact that the petitioner has a good case, however, he has to



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approach before the Drug Disposal Committee for return of property, since the vehicle was seized in a case under NDPS Act. Hence, he submitted before this Court that the petitioner should approach the Drug Disposal Committee.

4. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

5. This Court has already dealt with a similar case in Crl.R.C(MD)No.41 of 2019, dated 16.06.2023 and had passed several directions to the Special Court and investigating officers with regard to disposal of conveyances seized under the NDPS Act, 1985. In Paragraph no.16 (xi) of the aforesaid order, this Court has mandated that any person who claim ownership of the conveyance may approach the concerned Drug Disposal Committee directly and make his claim. The aforesaid order makes it clear that on such application, Drug Disposal Committee concerned would take decision on the disposal of vehicle after giving opportunity of hearing to the parties.



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6. In view of the same, the petitioner herein is directed to approach the Drug Disposal Committee at Thanjavur within a period of one (1) week from the date of receipt of copy of this order. On receipt of the same, considering the fact that the petitioner is not involved in Crime No. 331 of 2021, The Drug Disposal Committee, Thanjavur is directed to pass orders on merits and in accordance with law, after hearing the petitioner, within a period of two (2) weeks therefrom.

7. Accordingly, this Criminal Revision Case is disposed of.

04.06.2025

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

- 1.The Judicial Magistrate No.I,
Kumbakonam, Thanjavur District.
- 2.The Sub-Inspector of Police,
East Police Station, Kumbakonam,
Thanjavur District.
- 3.The Drug Disposal Committee,
Thanjavur.

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4.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.604 of 2025

Dated: 04.06.2025