



W.P.Crl.(MD)No.121 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 11.06.2025

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THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.Crl.(MD)No.121 of 2025

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... Petitioner

versus

1. State of Tamil Nadu rep. by
The Superintendent of Police,
Tuticorin District.

2. The Deputy Superintendent of Police,
Sathankulam,
Tuticorin District.

3. The Inspector of Police,
Sathankulam Police Station,
Tuticorin District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 26.02.2025 and direct the 3rd respondent to return his swift car bearing Reg.No.TN10 AK 1288.

For Petitioner : Mr.M.Maharaja

For Respondents : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor



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ORDER

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The petitioner is the first accused in Crime No.10 of 2025 on the file of the Sathankulam Police Station. He has filed this petition that the respondent police has unnecessarily taken away his car bearing Reg.No.TN10 AK 1288 and the same has been retained in the respondent Police Station. Therefore, he has submitted a representation to the respondent Police. However, the said representation has not been considered by the respondent Police. Therefore, the petitioner is before this Court.

2. The learned Additional Public Prosecutor submits that in the process of investigation, the respondent Police has seized the petitioner's car bearing Reg.No.TN10 AK 1288 and they have to ascertain as to whether the said car is involved in the commission of offence and thereafter, they would return the car, if the car is not involved in the commission of offence.

3. According to the petitioner, the car bearing Reg.No.TN10 AK 1288 belongs to the first accused and it has been taken away by the



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respondent Police on 14.01.2025.

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4. In the event, if the car is involved in the commission of offence, the respondent Police is expected to produce the same before the concerned Judicial Magistrate without any delay and they are not supposed to keep the car unnecessarily in the Police Station.

5. Since the car is retaining in the Police Station from 14.01.2025 onwards for the past five months, this Court is of the view that the car bearing Reg.No.TN10 AK 1288 has been unnecessarily retained by the respondent Police. Accordingly, this Writ Petition is disposed of with a direction to the respondent to return the car bearing Reg.No.TN10 AK 1288 to the petitioner immediately, after verifying the ownership. No costs.

11.06.2025

Index : Yes / No.
Internet : Yes / No.
NCC : Yes / No.
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B.PUGALENDHI, J.

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To

1. The Superintendent of Police,
Tuticorin District.
2. The Deputy Superintendent of Police,
Sathankulam,
Tuticorin District.
3. The Inspector of Police,
Sathankulam Police Station,
Tuticorin District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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