



WPCrI(MD)No.474 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WPCrI(MD)No.474 of 2025

R.Ezhilarasi

... Petitioner

Vs.

1.The Additional Superintendent of Police,
Prohibition Enforcement Wing [PEW]
Thanjavur, Thanjavur District.

2.The Inspector of Police,
Pappanadu Police Station,
Thanjavur District.
(in Crime No.50 of 2025)

... Respondents

Prayer: Writ Petition filed under Article 226 of the constitution of India, seeking for the issuance of writ of mandamus directing the respondent to release the petitioner's vehicle Maruti Suzuki EECO 5 star AC O car bearing registration number TN 49 CH 7222 pending disposal of the confiscation proceedings of the 1st respondent police station in connection with FIR in Crime No.50 of 2025 on the file of the 2nd respondent based on the petitioner's representation dated 10.06.2025.



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For Petitioner : Mr.P.Pratheesh

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

ORDER

The petitioner claims to be the owner of a car bearing registration number TN 49 CH 7222. The said vehicle has been seized by the 2nd respondent police in connection with Crime No.50 of 2025 on 15.02.2025. The petitioner has not been added as an accused in crime No.50 of 2025. The neighbour of the petitioner without her knowledge has taken the vehicle and illegally transported liquor and therefore, the case came to be registered and vehicle has been seized.

2.The learned Counsel for the petitioner submits that the petitioner has moved an application for interim custody of the vehicle before the learned Judicial Magistrate, Orathanadu in CrI MP.No.492 of 2025 and it was dismissed on 28.04.2025. The learned Counsel further submits that the vehicle is unnecessarily exposed to sunlight and rain. Therefore, the petitioner has come up with the above prayer. He has



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also relied on the orders of the Hon'ble Supreme Court in ***Sunderbhai Ambalal Desai and others Vs State of Gujarat*** reported in (2002) 10 SCC 283 and the orders of this Court dated 08.01.2024 passed in WP(MD)No.223 of 224.

3.The learned Additional Public Prosecutor appearing for the respondent police submits that the petitioner's vehicle has been seized on 15.02.2025 and confiscation proceedings is pending. He has also relied on the show cause notice issued by the 1st respondent in the month of March of 2025.

4.This Court has considered the rival submissions made.

5. It appears that the vehicle has been seized on 15.02.2025, show cause notice was issued in the month of March 2025. So far the 1st respondent has not proceeded with the confiscation proceedings. In view of the orders of the Hon'ble Supreme Court and this Court cited



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above, this petition is allowed with the following conditions:

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“(i) the petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees fifty thousand only) in favour of the respondent police;

(ii) the petitioner shall file an undertaking affidavit that she would produce the vehicle as and when required by the respondents for enquiry;

(iii) the petitioner shall co-operate for the confiscation proceedings, if any, initiated by the respondents;

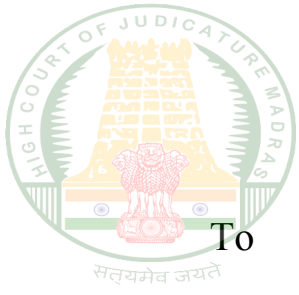
(iv) The petitioner shall not change or alter the condition of the vehicle and shall not alienate or encumber the vehicle till the proceedings are completed.”

No costs.

10.07.2025

Internet : Yes / No

DSK



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To

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1. The Additional Superintendent of Police,
Prohibition Enforcement Wing [PEW]
Thanjavur, Thanjavur District.
2. The Inspector of Police,
Pappanadu Police Station,
Thanjavur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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