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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30-07-2025

CORAM

THE HONOURABLE MR JUSTICE B.PUGALENDHI

WP Crl.(MD) No. 550 of 2025

1. Selvin Durai
S/o.Mr.Ebenezar, D/No.133/169, Nadar
Kudiyiruppu, Kalungkudi - Nenguneri
Taluk, Tirunelveli - 627 106.

Petitioner(s)

Vs

1. The State of Tamilnadu, Rep. by The
Inspector of Police
Sernthamaram Police Station, Tenkasi
District.

Respondent(s)

PRAYER Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondent to release the petitioner's vehicle, namely TATA ACE bearing Registration No.TN 72-CT-0716 and permit the petitioner to take custody of the same.

For Petitioner(s): Mr.R.J.Karthick

For Respondent: Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

The grievance of the petitioner is that his vehicle bearing Registration No.TN 72 CT 0716 has been seized by the respondent police in connection with crime No.237 of 2023 and till now, the same has not been produced before the

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concerned Judicial Magistrate Court. Therefore, he is not in a position to file necessary application to get the interim custody of the vehicle.

2.The learned Additional Public Prosecutor fairly conceded that it is true that the vehicle bearing Registration No.TN 72 CT 0716 has been seized on 25.09.2023 in connection with crime No.237 of 2023. However, inadvertently it has not been produced before the concerned Judicial Magistrate Court.

3.Since the petitioner has filed this petition making certain serious allegations against the police officers, this court, by its earlier order, dated 17.07.2025, has directed the Superintendent of Police, Tenkasi District, to file a report as to the reasons for not producing the vehicle for the past one and a half years.

4.The Superintendent of Police, Tenkasi has filed a report and it appears he has taken cognizance of the mistake on the part of the respondent police and has also initiated disciplinary proceedings against the investigation officer concerned for not producing the seized vehicle before the court. It is also reported that subsequently the vehicle has been placed before the learned Judicial Magistrate Court and the interim custody of the vehicle to the petitioner has been ordered on 24.07.2025 in CrMP.NO.4913 of 2025 and accordingly it would be handed over to the petitioner.

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5.Recording the report of the Superintendent of Police, Tenkasi this petition is closed.

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To

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