



W.P.Crl.(MD)No.577 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.Crl.(MD)No.577 of 2025

Manibalan

... Petitioner

Vs.

1.The Additional Superintendent of Police,
Prohibition Enforcement Wing,
Pudukkottai, Pudukkottai District.

2.The Inspector of Police,
Prohibition Enforcement Wing,
Pudukkottai District.
(Crime No.728 of 2024)

3.Shakul Hameed

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus, to direct the first and second respondents to release the petitioner's vehicle by name, Ashok Leyland Lorry bearing Registration No.TN-51-AM-4736 pending disposal of the confiscation proceedings of the first respondent in connection with FIR in Crime No.728 of 2024 on the file of the



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second respondent by considering the petitioner's representation dated 07.07.2025.

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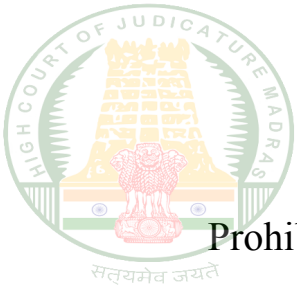
For Petitioner : Mr.S.Sathyachidambaram

For R1 & R2 : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor.

ORDER

The petitioner has filed this petition seeking a direction to the official respondents to release his vehicle bearing Registration No.TN-51-AM-4736, which has been seized in connection with a case in Cr.No.728 of 2024 on the file of the second respondent Police.

2.The learned counsel appearing for the petitioner submits that the respondent Police has seized the vehicle of the petitioner in connection with Cr.No.728 of 2024, which was registered for the offence under Sections 4(1)(A) & 4(1-A) of the Tamil Nadu



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Prohibition Act and the same has not been returned. The petitioner has filed a petition before the learned Judicial Magistrate No.II, Pudukottai and the same was dismissed.

3.The learned Additional Public Prosecutor appearing for the respondents submits that the subject vehicle has been seized under Prohibition Act. As per Section 14(4) of the Tamil Nadu Prohibition Act, the vehicles, which are seized under Prohibition Act, are liable to be confiscated. However, they are not in a position to confiscate, since the owner of the vehicle could not be identified. According to the respondent Police, the petitioner is not the owner of the subject vehicle.

4.The learned counsel for the petitioner disputes the above submission and submits that the petitioner is the owner of the vehicle and he purchased it from the third respondent and he has not changed RC book.



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WEB COPY 5.This Court has considered the submission made on either side and perused the available records.

6.Section 14(4) of the Tamil Nadu Prohibition Act enables the respondent Police to confiscate the vehicles, which are seized under the Prohibition Act. Therefore, this Court directs the petitioner to approach the first respondent. The first respondent is directed to conduct enquiry and take a decision, within a time stipulated under the Prohibition Act. Accordingly, this writ petition is disposed of. No costs.

18.07.2025

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

- 1.The Additional Superintendent of Police,
Prohibition Enforcement Wing,
Pudukkottai, Pudukottai District.
- 2.The Inspector of Police,
Prohibition Enforcement Wing,
Pudukottai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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