



W.P.(MD) No. 21240 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No. 21240 of 2025

Nagarajan

... Petitioner

Vs

1. The District Revenue Officer,
Madurai District,
Madurai.

2. The Inspector of Police,
Civil Supplies Crime Investigation Department,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first respondent to release the Mahindra Belero Maxi Pickup, bearing Registration No. TN-74-BB-2898 seized by the second respondent on 20.06.2025 to the petitioner.

For petitioner : Mr. T.Leninkumar

For respondents : Mr.D.Ghandiraj
Special Government Pleader for R1
Mr.K.Sanjai Gandhi
Government Advocate (Crl.Side) for R2



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ORDER

This Writ Petition is disposed of at the time of admission with the consent of the learned counsel for the petitioner, the learned Special Government Pleader for the first respondent and the learned Government Advocate (CrI.Side) for the second respondent.

2. This Writ Petition is filed by the petitioner to direct the first respondent to release the Mahindra Belero Maxi Pickup, bearing Registration No. TN-74-BB-2898 seized by the second respondent on 20.06.2025 to the petitioner.

3. The petitioner is one of the accused along with one Prabhu in Crime No. 109/2025, dated 20.06.2025 on the file of the second respondent/Police Station for the offences under Clause 6(4) of the Tamil Nadu Scheduled Commodities (RDCS) Order, 1982 and Section 7(1)(a)(ii) of the Essential Commodities Act, 1955.

4. It is alleged that the petitioner along with co-accused were caught red handed while attempting to smuggle 1050 kgs of PDS rice (21 bags x 50 kgs).



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5. The FIR that has been registered against the petitioner and the co-accused seems to indicate that the petitioner absconded immediately after the petitioner along with the co-accused were to apprehended and arrested. Be that as it may, the vehicle under seizure will be prone to depreciation, if it is allowed to remain idle with the second respondent.

6. The learned Government Advocate (Crl.Side) for the second respondent has produced a copy of a Valuation Report. As per the said report, the current market value of the vehicle as on date is Rs.1,35,000/-.

7. Considering the fact that the confiscation proceedings pursuant to the FIR registered in Crime No.109/2024 will take sometime, a provisional release of the subject vehicle is ordered, subject to the petitioner depositing a sum of Rs.25,000/- with the first respondent.

8. Additionally, the petitioner shall pay a sum of Rs.5,000/- to the ***Rojavanam, Home for aged and poor, Account No.6481560540, Indian Bank, Madurai Bench of Madras High Court, Madurai.***



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9. Subject to the petitioner depositing the aforesaid amounts within a period of 15 days from the date of receipt of a copy of this order, the subject vehicle shall be released provisionally, thereafter.

10. It is made clear that Rs.25,000/- to be deposited by the petitioner is only for the provisional release and it is subject to further adjustment in accordance with confiscation order to be passed by the first respondent.

11. This Writ Petition is disposed of, with the above observations. No costs.

Index : Yes / No

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Internet : Yes / No

apd

To

1. The District Revenue Officer,
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2. The Inspector of Police,
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C.SARAVANAN, J.

apd

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