



WP CrL.(MD) NO. 2554 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **15-12-2025**

CORAM

THE HONOURABLE MRS JUSTICE S.SRIMATHY

WP CrL.(MD) NO. 2554 of 2025

and WMP(MD) Nos.603, 604 and 605 of 2025

Gandhimathi A.

... Petitioner

Vs

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

2.The Deputy Superintendent of Police,
Prohibition Enforcement Wing,
Thanjavur District.

3.The Inspector of Police,
Thiruneelakudi Police Station,
Thanjavur District.

... Respondents

For Petitioner(s):

Mr.S.Srikanth

For Respondent(s):

Mr.A.S.Abul Kalaam Azad,
Government Advocate (CrL. side)

Prayer:

This writ petition is filed under Article 226 of the Constitution of



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India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the 2nd respondent impugned notice in Confiscation No. 56/PEW/TAN/2025 dated 28.08.2025, quash the same and consequently, direct the respondents to release the petitioner's TOYOTA ETIOS vehicle bearing Registration No.PY 02 X 3706 seized by the 3rd respondent police to her custody pending disposal of the criminal case.

ORDER

Mr.A.S.Abul Kalaam Azad, learned Government Advocate (CrL. Side) takes notice for the respondents.

2.Heard both sides.

3.This writ petition has been filed to quash the confiscation proceedings initiated by the respondent police. It is submitted by the learned Government Advocate (CrL. Side) that the case is still under investigation. Hence, the present writ petition cannot be entertained.

4.The learned counsel for the petitioner would submit that confiscation proceedings ought not to have been initiated when the trial Court started the criminal proceedings.



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5.The learned counsel for the petitioner would further submit that the petitioner's son has only committed the offence. The vehicle stands in the name of the petitioner. That cannot be entertained, since the petitioner allowed her son to use her vehicle for committing crime.

6.However, the petitioner is entitled to release the vehicle with an undertaking before the respondent police to the effect that she will produce the vehicle before the respondent police as and when required by them. On such receipt of undertaking affidavit, the respondent police is directed to release the vehicle forthwith.

7.With the above said directions, this writ petition stands disposed. No costs. Consequently, connected miscellaneous petitions are closed.

15-12-2025

TM

To

1.State of Tamil Nadu rep. by
The Superintendent of Police,
Thanjavur,
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2. The Deputy Superintendent of Police,
Prohibition Enforcement Wing,
Thanjavur District.
3. The Inspector of Police,
Thiruneelakudi Police Station,
Thanjavur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J.

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