



WEB COPY

CRL RC No. 704 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

**CRL RC No. 704 of 2026
and Crl.MP.No.5378 of 2026**

S.Kaviyarasu

..Petitioner

Vs

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

2.The Station House Officer,
PEW, Villupuram Police Station,
Villupuram District.
(Crime No.365/2025)

..Respondents

Prayer: This Criminal Revision petition is filed under Section 438 r/w 442 of Cr.P.C, to call for the records in N.A.No.379/confiscation/ADSP/Villupuram/2025 confiscation order dated 13.02.2026 on the file of 1st respondent and to set aside the same and direct the 1st respondent to release the vehicle “Hero Splender” bearing Registration No.TN 32 AQ 7936, Engine No.HA10AGKHCE2973 to the petitioner, which was seized in connection with the Crime No.365 of 2025 on the file of the 2nd respondent police.

For Petitioner:

Mr.S.Siva Kumar

For Respondent:

Mr.R.Kishore Kumar

Government Advocate (Crl.Side) for R1



ORDER

The petitioner has preferred the present Criminal Revision challenging the confiscation order passed in N.A.No.379/Confiscation/ADSP/Villupuram/2025 dated 13.02.2026 on the file of the first respondent and for a consequential direction to release the petitioner's vehicle seized in connection with Crime No.365 of 2025 on the file of the second respondent police.

2. The case of the prosecution is that on 06.12.2025, the petitioner was found transporting Pondy liquor into Tamil Nadu in a vehicle bearing Registration No.TN 32 AQ 7936 without any valid licence. Hence, the case has been registered.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and a false case has been foisted against the petitioner for the statistical purpose.

4. Per contra, the learned Government Advocate (Crl.Side) submitted that under Section 14(5) of the Tamil Nadu Prohibition Act 1937, an effective alternative remedy is available and that the petitioner has to approach the appellate forum, namely, the Court of Sessions.

5. I have given my anxious consideration to the submissions made on either side.



6. It is relevant to refer as per Section 14(5) of the Tamil Nadu Prohibition Act, 1937, where it **provides a right of appeal against confiscation orders passed under Section 14(4) regarding vehicles or animals used in prohibition offences. Any person aggrieved by a confiscation order by a Prohibition Officer may appeal to the Court of Session within the prescribed period.**

7. In view of the above and as rightly contended by the learned Government Advocate (Crl.Side), this Court is not inclined to entertain the present revision in view of the availability of an effective alternative remedy. Accordingly, this Criminal Revision case stands dismissed, granting liberty to the petitioner to approach the appropriate Sessions Court in the manner known to law. Consequently, connected Miscellaneous Petition is closed.

24-03-2026

DRL

To

- 1.The Additional Superintendent of Police,
Prohibition Enforcement Wing,
Villupuram District.
- 2.The Station House Officer,
PEW, Villupuram Police Station,
Villupuram District.
- 3.The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN, J.

DRL

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