



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-06-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

WP CrI. No. 1300 of 2026

R.Ravichandran
S/o. Raju,
No.39, Rajiv Gandhi Nagar,
4th Cross, Sowripalayam,
Coimbatore.

..Petitioner(s)

Vs

1. The Additional Superintendent of Police
Prohibition of Enforcement Wing,
Krishnagiri.
2. The Sub Inspector of Police
Prohibition of Enforcement wing Police Station,
Krishnagiri.

..Respondent(s)

Prayer: This Writ petition is filed under Article 226 of the Constitution of India to issue a Writ of mandamus, or any other appropriate Writ, order or direction, directing the respondents police to return the Bank Guarantee given by him for a sum of Rs.16,03,000 vide TDR No.036456 (Account No.6525637353) to the petitioner and permit the petitioner to redeem the same and thus render justice.

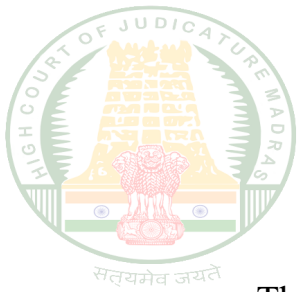
For Petitioner(s):

Mr.L.Murali Krishnan

For Respondent(s):

Mr. R.Ganesh Kumar

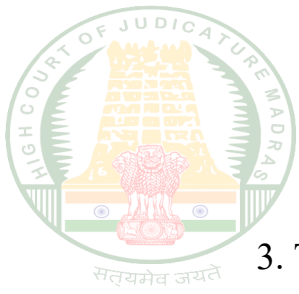
Counsel for Government of Tamil Nadu (CrI side)



ORDER

WEB COPY This Writ Petition is filed to directing the respondent to return the Bank grantee given by the petitioner for a sum of Rs.16,03,000/- for release of vehicle owned by the petitioner.

2. The case of the prosecution is that the petitioner is the owner of the Car bearing Registration Number PY-01-BJ-9000. It is alleged that the petitioner's son was found in possession of liquor in the car. Hence a case was registered in Crime No. 320 of 2016 for the offence under section 4(1)(a) of the Tamil Nadu Prohibition Act. After registration of the FIR the car was seized by the second respondent. Since the car is owned by the petitioner he filed a petition for return of Car before this Court in W.P.No.14164 of 2016 and this Court vide order dated 28.04.2016 passed an order directing the petitioner to give a bank guarantee for a sum of Rs.16,03,000/- to the satisfaction of the first respondent, and on giving the said bank guarantee, the first respondent is directed to release the vehicle bearing Registration Number PY-01-BJ-9000 to the petitioner with usual terms and conditions. The petitioner deposited the said amount and also obtained Bank Guarantee for the said amount. To return the Bank Guarantee the petitioner has filed this present petition.



3. The learned counsel for the petitioner further submits that the petitioner has suffered a huge monetary loss in the business and he could not even able to meet out his day to day expenses. Hence he sought for return of Bank guarantee which is given to release the Car.

4. The learned Government Advocate (Crl side) appearing for the respondents submitted that the Bank guarantee cannot be returned, since the trial is pending. He further submitted that after disposal of the main case only the returning of Bank Guarantee can be decided.

5. Heard both sides and perused the materials available on record.

6. Admittedly the vehicle was released and the same is now under the custody of the petitioner. Pursuant to which investigation was completed in Crime No.320 of 2016 and final report was also filed and it has been taken on file in S.T.C.No.852 of 2016. Now after a period of 10 years the petitioner has come forward with this petition to return the Bank Guarantee. Further NBW is also pending against the petitioner's son and the entire Trial is stalled before the Trial Court.



7. In view of the above facts, this Court is not inclined to return the Bank guarantee, since the trial is pending. However, the second respondent is directed to instruct the concerned Bank officials to disburse accrued interest on the fixed deposit account furnished towards the bank guarantee subject to due verification and compliance as per the applicable procedures. It is also made clear that petitioner shall withdraw the accrued interest at once only.

8. With the above direction, this Writ Petition (Criminal) stands disposed of. No costs.

09-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

smn

To.

1. The Additional Superintendent of Police
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2. The Sub Inspector of Police
Prohibition of Enforcement wing Police Station,
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WEB COPY

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G.K.ILANTHIRAIYAN, J.

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