



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-06-2026

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THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP No. 16362 of 2026

Prabu

Petitioner

Vs

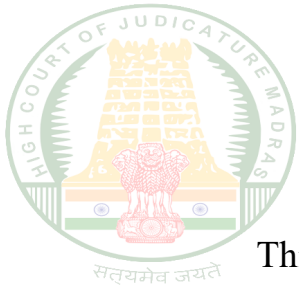
State Rep. By,
The Inspector of Police
Irumbulikulurichi Police Station,
Ariyalur District.
Cr.No.118/2025

Respondent

PRAYER This Criminal Original Petition filed under Section 528 of BNSS, seeking to call for the records and set aside the order dated at 23.03.2026 in Crl.R.C.No.01/2026 by the Learned Principal District and Sessions Court, Ariyalur confirming the order passed in Crl.M.P.No.817/2025 by the learned District Munsif Cum Judicial Magistrate, Sendurai and consequently direct the Principal District and Sessions Court, Ariyalur to release the vehicle bearing Registration No.TN 61 L 5267, Chassis No.MA3EWDE1SOOCO2053, Engine No.10BN4856603 (Maruthi Wagon R VXi O BSIV).

For Petitioner: Mr.G.Nirmal Krishnan

For Respondent: Mr.R.Rajasekaran,
Counsel for Government of
Tamil Nadu (Crl. Side)



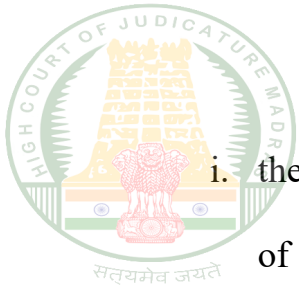
ORDER

This Criminal Original Petition is filed challenging the impugned orders passed by the learned District Munsif cum Judicial Magistrate in Crl.MP.No.817 of 2025 refusing to grant return of the property pending trial and the order passed in Crl.R.C.No.1 of 2026 by the learned Principal District and Sessions Court, Ariyalur, dismissing the Revision Petition filed by the petitioner.

2. Upon hearing the learned counsel for the petitioner and perusing the material records of the case, the grievance of the petitioner is that when the petitioner's vehicle bearing Registration Number TN 61 L 5267 is seized pursuant to Crime No.118 of 2025 and the petitioner being the owner of the vehicle, sought for the interim return pending trial, the same is now refused and the orders are liable to be interfered with by this Court as already it is settled law that as far as possible the property has to be returned to the owner, otherwise the same would result in rotting of the property.

3. Per contra, the learned counsel for the Government of Tamilnadu (Crl. Side) would submit that the offence is one under the Prohibition Act and already proceedings are initiated for confiscation.

4. In view thereof, this Criminal Original Petition stands disposed of on the following terms:



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- i. the petitioner shall appear before the Additional District Superintendent of Police, Ariyalur on 13.07.2026 at about 10:30 a.m and the showcase notice, if any already initiated shall be served on the petitioner;
- ii. after hearing the due objections from the petitioner and following the procedure as mandated under law, the confiscation proceedings shall be completed within a period of four weeks therefrom;
- iii. depending on the outcome of the proceedings, the petitioner will be entitled for other reliefs.
- iv. if the property is not confiscated, the petitioner shall produce a web copy of this order before the Trial Court and the Trial Court shall consider the return of property pending trial as per the provisions of section 503 of BNSS.

29-06-2026

vum

Neutral Citation: Yes/No

To

1. The Inspector of Police
Irumbulikulurichi Police Station,
Ariyalur District.

2. The Additional District Superintendent of Police,
Ariyalur

3. The Public Prosecutor,
Madras High Court, Chennai.



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D.BHARATHA CHAKRAVARTHY J.

vum

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