

PROCEDURE AS AMENDED, OR RULE NO. 104H OF THE MARYLAND DISTRICT RULES.

(d) If the trial or other ultimate disposition of such charge or charges, indictment or indictments, results in an acquittal [or other final determination of such proceedings] OR DISMISSAL in favor of the person or persons so arrested, in connection with which the [said] money, currency or cash may have been so seized or captured, the same shall be returned to the person from whom taken on the expiration of ninety days from such acquittal [or other final determination,] OR DISMISSAL, unless some other person or persons claiming to own any or all of the [said] money, currency, or cash shall have, within ninety days from the date of the record of the entry of such acquittal [or other final determination,] OR DISMISSAL applied to the circuit court of the county, for an order declaring and ordering that such money, currency or cash in the custody of the director of finance or county treasurer is the property of the person or persons so applying and should be returned to him or them forthwith by the [said] director of finance or treasurer. In the event some other person or persons so apply, the court shall hear and determine the issue as in other cases at law.

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(b) Any property subject to forfeiture under this subheading may be seized upon process issued by any court having jurisdiction over the property except that seizure without such process may be made when—

(1) The seizure is incident to an arrest or a search under a search warrant or an inspection under an administrative inspection warrant;

(2) The property subject to seizure has been the subject of a prior judgment in favor of the State in a criminal injunction or forfeiture proceeding under this subheading;

(3) There is probable cause to believe that the property is directly or indirectly dangerous to health or safety; or

(4) There is probable cause to believe that the property has been used or intended to be used in violation of this subheading.

In the event of seizure pursuant to paragraphs (3) and (4) of this subsection, proceedings under subsection (d) of this section shall be instituted promptly, EXCEPT ALL PROCEEDINGS RELATING TO MONEY OR CURRENCY, WHICH SHALL BE INSTITUTED WITHIN NINETY (90) DAYS FROM THE DATE OF FINAL DISPOSITION OF CRIMINAL PROCEEDINGS WHICH ARISE OUT OF ARTICLE 27, SECTION 276 THROUGH SECTION 302 INCLUSIVE.