

MHKO010020212025



Order below Exh.18 in Spl. Case No.129/2025.
(State of Mah. Vs. Raju @ Rajaram Bhikaji Tavade)

1. This is an application filed by the applicant Pravin Bhimrao Pawar Under Section 497 of BNSS for return of property. The applicant is third party and not an accused in the offence.
2. It is stated that applicant's Toyota Innova car was seized by police of Kodoli police station in connection with C.R.No.63/2025 which was registered for offence under POCSO Act. Ld. Adv. Mr. S. R. Salokhe for the applicant argued that if the car is kept lying at police station, it will be damaged. He pointed out that investigation is complete and the charge-sheet is filed and the applicant shall abide by conditions imposed by the Court.
3. Ld. APP Mr. S. M. Patil filed say and contested the application on the ground that the said vehicle is important piece of evidence and the applicant may tamper with the same or may sale it out.

4. Heard both the sides and perused the documents. Applicant has produced on record copy of his Aadhar card as well as the verified copy of R.C. card which shows that he is the owner of Toyota Innova car bearing Reg. No.MH-09-BE-5599. Insurance policy shows that applicant has insured the said vehicle. From this documents, the applicant appears to be the owner of the vehicle. If said car is kept idle in police station as it is, it will get damaged. The said car can be returned to the owner by imposing suitable conditions. Hence, I pass following order:

ORDER

1. Application is allowed.
2. Muddemal property Toyota Innova Car bearing No.MH-09-BE-5599, Chassis No.MBJ11JV4007111841-12, Engine No.2KD6013702 be released in favour of the applicant on executing indemnity bond of Rs.5,00,000/- (Rs. Five Lacs only.)
3. The Investigating Officer is further directed to take photographs of the said car and prepare a detail panchanama at the time of returning the above said car to the applicant and to submit the same to the Court within one month from handing over of the property.

4. The applicant shall not change colour and structure of the car, so as to destruct identity of it, or shall not alienate the same, till conclusion of the Trial.
5. The applicant shall produce said car as and when directed by this court, on his own expenses.

Date : 16/12/2025.

(A. S. Waikar)
Additional Sessions Judge, Kolhapur.