

**ORDER BELOW EXH. NO. 1**

The present application has been filed by the applicant namely Hirabai Ramesh Shinde under section 503 of B.N.S.S., 2023 seeking interim custody of vehicle Mahindra and Mahindra SCORPIO S2 BS IV bearing Registration No. MH-21-AX-1780, Engine No. TDG4E80163 and Chesis no. MA1TA2TDKG2E46099. The applicant further contends that the said vehicle has been seized by Yermala Police Station in connection with Cr. No. 51/2026 of the alleged offence punishable under Section 303 (2) of B.N.S. The applicant further contends that if the above vehicle remains lying within premises of the concerned police station, it would be damaged. Also the applicant requires the said vehicle for the purpose of his business, hence, he prayed that the application be allowed.

2. Say of I.O. and Ld. A.P.P. was called. The I.O. submitted vide his say that the said vehicle has been seized by Yermala Police Station in relation to Cr. No. 51/2026. Hence, appropriate order may be passed after verification of the title documents. Ld. A.P.P. submitted in his say that if the said vehicle is released, the applicant may transfer the vehicle and change the original nature of the vehicle. The accused will not be produced the vehicle during trial. The vehicle is important evidence in the present case. Hence the application be rejected.

3. Perused the application and say. Heard Ld. A.P.P. and Ld. Adv. for the applicant. In support of his application, the applicant has filed on record affidavit. She has filed on photo copy of her Aadhar Card, and photo copy of vehicle R.C. book, copy of F.I.R.

4. From the perusal of the R.C. Book name of the applicant

appears as an owner. Description of the said vehicle appearing on R.C. Book is the same as mentioned by the applicant in her application and in the F.I.R. Thus, applicant, prima-facie it appears that the applicant is the owner of the said vehicle. Hence, I am satisfied that there would be no prejudice to the prosecution if the property is returned to the applicant.

5. The said vehicle is lying in the police station. If the said vehicle is kept in unused conditions for a longer period, there is a possibility that the said vehicle may catch rust and it might get damaged considering its nature. Further, the applicant is dependent on the said vehicle for her transport. Considering the nature of offence, no purpose would be served by keeping the said vehicle within premises of the police station. However, certain conditions are required to be imposed to prevent the said vehicle from being used for illegal purpose as well as to ensure that the vehicle will be produced whenever required during trial. Accordingly, I pass the following order.

**ORDER**

1. The Application is allowed.
2. Interim custody of Mahindra and Mahindra SCORPIO S2 BS IV bearing Registration No. MH-21-AX-1780, Engine No. TDG4E80163 and Chassis no. MA1TA2TDKG2E46099 be handed over to the applicant Hirabai Ramesh Shinde on her furnishing indemnity bond of Rs. 20,00,000/- (Rupees Twenty Lakh Only) with the following conditions:-
  - i) The applicant shall not transfer or alienate the above vehicle in any manner till the conclusion of the trial.
  - ii) The applicant shall not change nature of the above vehicle in

any manner till conclusion of trial.

- iii) The applicant shall produce the above vehicle whenever ordered by the court.
- iv) The above vehicle shall not be used for any illegal purpose.
- v) Photographs of the above vehicle be snatched while delivering it to the applicant.
- vi) The I.O. shall prepare panchnama of delivery of above vehicle to the applicant and shall produce copy of the panchnama and photographs along with the charge-sheet or final report as the case may be.
- Vii) I.O. shall collect copy of insurance policy before handing over the vehicle to the applicant.

(Dictated and pronounced in open court)

Place : Kallm  
Date : 25.06.2026

( N. M. Reddy)  
J. M. F. C., Kallam  
(Court No. 2)