



Cri.M.A. No. 54/2026
Siddharam Narayan Koli
Vs.
State of Maharashtra
CNR NO. MHSO150004492026

Order below Exh.1

1. Applicant namely **Siddharam Narayan Koli, R/o., Kumbhari, Tal. South Solapur, Dist. solapur** has filed present application under Section 503 of the Bhartiya Nagrik Suraksha Sanhita, 2023 (in short 'B.N.S.S.') For the return of vehicle i.e. **Ashok Leyland Ltd. Company's Tempo bearing No.MH-13-DQ-6972, Chassis No. MB1AB42EXPRHK6061, Engine No. HPH035991P** (in short "seized vehicle") seized by Valsang police station in connection with Crime No. 57/2025 registered for the offenses punishable Section Sections 9 and 11 of the Maharashtra Animal Preservation Act, 1976, Section 11(1)(j) of the Prevention of Cruelty to Animals Act, 1960, and Sections 83 and 177 of the Motor Vehicles Act, 1988.
2. It is contention of applicant that, he is the owner aforesaid vehicle. He had purchased it for his daily and business use. The said vehicle was seized by the police in Crime No. 57/2025. The vehicle is presently kept at Valsang Police Station. If the property is not release then the value of the seized vehicle will be diminished. He is ready to abide conditions imposed by this Court. Hence, he prayed for return of the seized vehicle on the bond.
3. On behalf of I.O., the police station Valsang through police station officer filed his say and strongly objected to return the seized vehicle because possibility to commit same offence by using said vehicle can not be ruled out. Whereas the learned APP contended that, the offence is serious in nature, there is possibility of alienation, making any

changes in original structure, if return to applicant. Lastly, she prayed to reject the application.

4. Perused documents i.e. copy of F.I.R., verified copy of R.C Book and Aadhaar Card. Applicant also filed an affidavit in support of application. It seems from the record, he is fit person to whom interim custody of seized vehicle can be given upon imposing conditions.

5. Offence is registered in respect of cruelty to animal. It is necessary to comply with the directions issued by the Hon'ble High Court of Bombay in **Criminal Writ Petition No. 304/2022, titled Shri Vijaykumar Mukundilal vs. State of Maharashtra & Others, decided on 24/08/2022.** Accordingly, the cost of care and maintenance of the seized animals is required to be paid to the institution or individual responsible for their upkeep. Upon perusal of the say filed by I.O. at Exh.05, it appears that, animals were kept in Gaushala, and to ensure proper care of the animals, an amount of Rs.200/- per day per animal shall be paid to the concerned institution, person, police officer, or Shri Krishna Gaushala, situated at Mandrup, Taluka South Solapur, and a receipt for the same shall be obtained from them.

6. In the present matter, the applicant has not submitted any permit relating to the transportation of the animals. Further, the manner in which the animals were transported does not demonstrate any due care or concern for their well-being under any circumstances. If the vehicle remains idle for a prolonged period, it may suffer mechanical damage. Hence, the vehicle may be released to the applicant subject to conditions.

7. Prima facie, it appears that the applicant used the said vehicle for unauthorized transportation of animals. Therefore, in order to

ensure proper care of the animals, the applicant shall pay Rs.200/- per day per animal to the concerned institution, individual, police officer, or Shri Krishna Gaushala, Mandrup, Taluka South Solapur, and obtain the relevant receipt for such payment from them.

8. The applicant is the registered owner of the seized vehicle. No fruitful purpose will be served by detaining the vehicle in the custody of the police. Hence, considering the nature of the offence and the documents available on record the applicant being the registered owner of the seized vehicle is entitled for the interim custody of the same. Hence, I proceed to pass following order.

ORDER

1. Application is allowed.
2. The seized vehicle i.e. *Ashok Leyland Ltd. Company's Tempo bearing No. MH-13-DQ-6972, Chassis No. MB1AB42EXPRHK6061, Engine No. HPH035991P* which is seized by the Valsang Police Station in C.R. No.57/2025 be released in favour of the applicant viz. **Siddharam Narayan Koli, R/o., Kumbhari, Tal. South Solapur, Dist. solapur** on his executing the indemnity bond of Rs.30,00,000/- (Rs. Thirty Lakh only) on the following terms and conditions;
 - (a) The applicant shall initially deposit an amount of Rs.200/- per day per animal with **Shri Krishna Gaushala, Mandrup, Taluka South Solapur**, towards the care, maintenance, and service of the animals from the date of seizure of the vehicle until further orders. The applicant shall also pay any arrears due. Thereafter, upon production of the receipt of such

payment, the custody of the vehicle shall be handed over to the applicant.

- (b) The applicant shall not change colour and physical features of the seized vehicle except repairs till the decision of the case.
 - (c) The applicant shall not alienate or create any extra charge upon the seized vehicle till decision of the case.
 - (d) The applicant is directed to produce the seized vehicle before the Court as and when directed.
3. The I.O. is directed to take the photographs of the seized vehicle in order to establish its identity during the trial and I.O. shall prepare the panchnama of the handing over the seized vehicle to the applicant. Said panchnama shall be attested by the applicant and his witness and shall be part and parcel of the charge-sheet.
 4. The I.O. is directed to take the Supuratnama from the applicant.
 5. The order be informed to the I.O
 6. One copy of this order be kept with the remand papers of C.R.No. 57/2025.

Place - Akkalkot
Date - 30/03/2026

(Smt. N. A. L. Shaikh)
Judicial Magistrate First Class,
Akkalkot.

CERTIFICATE

I affirm that the contents of this PDF file Judgment/Order is same word to word as per the original Judgment/order :-

- a) Name of the Stenographer** :- V. S. Kamble
Steno Grade-III
- b) Court** :- Jt. Civil Judge Junior Division and
Judicial Magistrate First Class,
Akkalkot.
- c) Judgment/Order signed by PO on** :- 30/03/2026
- d) Judgment/Order uploaded on** :- 30/03/2026