

**Cri.M.A. No. 27/2026**

**MHSO180001612026**

**Umesh Natha Madane Vs. Mangalwedha Police Station, Mangalwedha**

**AND**

**Cri.M.A. No. 31/2026**

**MHSO180002202026**

**Raj Ramdas Bhosale Vs. Mangalwedha Police Station, Mangalwedha**

**Common Order in Cri.M.A. No. 27/2026 and 31/2026**

Both applications are filed under Section 503 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Crime No.67/2026 of Mangalwedha Police Station. Hence, they are taken up for decision by common order.

2. Perused applications, say filed on respective applications and documents on record. Heard both side at length.

3. Cri.M.A. No. 27/2026 is filed by Umesh Natha Madane (Owner of Vehicle) for return of four wheeler vehicle i.e. VE COMMERCIAL VEHICLES LTD company golden coloured VE COMMERCIAL TRUCK bearing registration no.MH-05/AM-4784, chasis no. MC233HRC0DC081585 and engine no.E483CDDC608036 (In Short - Said vehicle) seized in Crime No.67/2026 by Mangalwedha Police Station. He submitted that, he is owner of seized vehicle. He pleaded that said vehicle is lying in police station and it is likely to damage. He requires said vehicle for daily use and for his work. He is ready to abide all terms and conditions imposed by the court. Applicant filed on record verified copies of his Aadhar card, vehicle registration certificate, driving licence, online copies of vehicle insurance, tax receipt, PUC certificate and F.I.R. etc.

4. Cri.M.A. No. 31/2026 is filed by Raj Ramdas Bhosale (Owner of Cattle) for return of 16 cattle i.e. 13 grown calfs (कालवडी) age of 6 months to 3 years and 3 cows age of 2 years to 3 years (In Short - Said Cattle)

seized in Crime No.67/2026 by Mangalwedha Police Station. He submitted that he is owner of said 16 cattle and he requires said 16 cattle for work of farm. So, he prayed interim custody of said 16 cattle be given to him. He is ready to abide all terms and conditions imposed by the court. He filed documents on record i.e. verified copies of his Aadhar card, purchase receipt of 16 cattle issued by Ramesh Sahebrao Takale dated 30.01.2026.

5. Further, in regard Cri.M.A. No. 27/2026 and 31/2026 learned advocate for applicants argued that applicant Raj Ramdas Bhosale is farmer and he has purchased said 16 cattle from Ramesh Sahebrao Takale dated 30.01.2026. As well as, applicant Umesh Natha Madane is owner of said vehicle who has valid documents of vehicle. As an owner of said 16 cattle and vehicle, they are entitled for interim custody of seized 16 cattle and vehicle. There is no offence of similar nature registered against applicants in the past. The alleged offence is the first offence against applicants. Therefore, applicants have better claim for the interim custody of the said 16 seized cattle and the seized vehicle. Hence, they prayed that to be allowed both applications.

6. Learned A.P.P. filed his say in both applications. Sum and substance of his say and submission is that, the said vehicle and cattles were seized in serious offence. The applicant used said vehicle for transporting and selling the animals illegally. The animals kept with Goshala. Further he submitted that, if, the vehicle is returned to him then, he may alter its nature and dispose of the same. He will use said vehicle to commit similar offence. Both applicants have to pay maintenance amount to the concern Goshala for care, prevention, treatment of said cattle. Further, he prayed both applications be rejected.

7. Investigation Officer filed his say in both applications. Sum and substance of his say and submission is that, the FIR was lodged against accused no.2, 3 and applicant Umesh Natha Madane u/s. 11(1)(a),

11(1)(f), 11(1)(h), 11(3)(a) of Prevention of Cruelty to Animals Act, 1960, sec. 3(5) of Bharatiya Nyaya Sanhita and sec. 125 of the Central Motor Vehicle Act, 1989. Further he stated that, he seized VE COMMERCIAL VEHICLES LTD company golden coloured VE COMMERCIAL TRUCK bearing registration no.MH-05/AM-4784, chasis no.MC233HRC0DC081585 and engine no.E483CDDC608036 and 16 cattle from the possession of accused no.2, 3 and applicant Umesh Natha Madane. If, the vehicle and said 16 cattle are returned to the applicants then, they may alter its nature and dispose of the same and sell to another. They will use said vehicle to commit similar offence. Therefore, he prayed both applications be rejected.

8. Sadguru Sant Balumama Goshala, Run and managed under Guru Mauvli Bahuudeshiya Samajik Sanstha, at post Dharpuri, Tq. Malshiras, Dist.Solapur, through its authorised representative Shri Yashwant Shankar Surve, has filed its say at Exhibits 7 and 8 in Criminal Miscellaneous Application Nos.27/2026 and 31/2026 and submitted that the applicant illegally transported 3 cows and 13 grown calves aged approx. more than 7 months in the vehicle bearing registration No. MH-05/AM-4784, in violation of the provisions of the Animal Transport Rules, 1978, thereby causing cruelty, pain, and suffering to the animals. It is further submitted that the said cattles were seized from the possession of the applicants and have been housed in the cowshed since 01.02.2026. It is contended that there is a strong likelihood of repetition of such offence and that the said vehicle was used for illegal activities. As per the applicable rules, the cowshed is entitled to recover maintenance charges per animal per day. Therefore, it is prayed that the applicant be directed to pay the said maintenance charges, furnish a written undertaking not to commit such offence in future before the Hon'ble Court. Hence, he prayed both applications be rejected.

9. Therefore, on perusing applications, says and documents on record in Cri.M.A. No. 27/2026 and Cri.M.A. No. 31/2026 it reveals that, the

FIR was lodged against the applicant/accused no.1 Umesh Natha Madane, accused no.2 Balekhan Linga Shaikh and accused no. 3 Sohil Balekhan Shaikh u/s. 11(1)(a),11(1)(f),11(1)(h),11(3)(a) of Prevention of Cruelty to Animals Act, 1960, sec. 3(5) of Bharatiya Nyaya Sanhita and sec. 125 of the Central Motor Vehicle Act, 1989. Police seized VE COMMERCIAL VEHICLES LTD company golden coloured VE COMMERCIAL TRUCK bearing registration no.MH-05/AM-4784, chasis no. MC233HRC0DC081585 and engine no.E483CDDC608036 and 16 cattle from the possession of accused no.1 to 3. Further, in regard Cri.M.A. No. 27/2026 and Cri.M.A. No.31/2026, it is contention of applicant's advocate that there is no offence of similar nature registered against applicants in the past. The alleged offence is the first offence against applicants. It is also not the case of prosecution that both applicants have committed similar offence in the past. There is nothing on record which show that when police seized 16 cattle, they were in injured condition or unfit to perform its usual work. Therefore, at this stage prima facie there is no material to conclude that, animals were subjected to cruelty.

10. While deciding both petition it is necessary to observe the provisions of the Prevention of Cruelty to Animals (Care and Maintenance of Case property Animals) Rules 2017 which are as under;

As per rule 3(a) the authority seizing the animal shall ensure health inspection, identification and marking such animal, through the jurisdictional veterinary officer.

As per rule 3(b) magistrate may give custody of seized animals to Panjarpol, SPCA, Animal Welfare Organization or Goshala during the pendency of the litigation.

Rule 4 provides that Magistrate may pass an order regarding expenses necessary for the maintenance of the seized animals till the decision of trial.

Under Rule 5 (1) the Magistrate shall take a bond from the accused and the owner of the animal for recovery of expenses

for transportation, maintenance and medical expenses of the animal.

Rule 5(4) provides that where a vehicle has been involved in an offence, the magistrate shall direct that the vehicle be held as a security.

Rule 5(5) provides that in case of offence relating to transport of animals, the vehicle owner, consignor, consignee, transporter, agents and any other parties involved shall be jointly and severally liable for the cost of transport, treatment and care of animals.

11. Further, on perusal of record it reveals that, applicant in Cri.M.A. No. 27/2026 has filed documents i.e. verified copies of his Aadhar card, vehicle registration certificate, driving licence, online copies of vehicle insurance, tax receipt, PUC certificate and F.I.R. etc.. From these documents prima facie reveals that applicant Umesh Natha Madane is rightful owner of the seized vehicle. As well as, in Cri.M.A. No. 31/2026 applicant Raj Ramdas Bhosale has filed purchase receipt of said cattle. On perusal of said document prima facie reveals that, he purchased 16 cattle vide receipt no.132 dated 30.01.2026 for Rs.1,25,000/- from Ramesh Sahebrao Takale and applicant Raj Ramdas Bhosale is rightful owner of seized 16 cattle.

12. On considering the rule 3(b) of Prevention of Cruelty to Animals (Care and Maintenance of Case property Animals) Rules 2017 it clears that, magistrate may give custody of seized animals to Pinjarapole, SPCA, Animal Welfare Organization or Goshala during the pendency of the litigation. However, the word "may" specify that it is not mandatory to hand over custody of animals to the Pinjarapole in the event of not sending it to any infirmary. In case where the owner is claiming custody of the animals, Pinjarapole has no preferential right.

13. Therefore, prima facie it reveals that, applicant Raj Ramdas Bhosale is farmer and he purchased 16 cattle from Ramesh Sahebrao Takale on dated 30.01.2026. Similarly, as per documents on record, prima facie Umesh Natha Madane is owner of seized vehicle and Raj Ramdas Bhosale is owner of seized cattle. The applicant Raj Ramdas Bhosale (cattle owner), accused no. 2 Balekhan Linga Shaikh and accused no. 3 Sohel Balekhan Shaikh have filed their affidavits in Cri.M.A.No. 27/2026 at Exh.5, 6, 11 and submitted that, they have no objection to hand over the custody of seized vehicle to applicant Umesh Natha Madane and they have no relation about the said vehicle. As well as, original cattle owner Ramesh Sahebrao Takale, accused no. 2 Balekhan Linga Shaikh, accused no.1/applicant Umesh Natha Madane and accused no. 3 Sohil Balekhan Shaikh have filed their affidavits in Cri.M.A.No. 31/2026 at Exh.9 to 12 and submitted that, they have no objection to hand over the custody of seized 16 cattle to applicant Raj Ramdas Bhosale and they have no relation about the said cattle. Thus, the applicants have better claim for the custody of seized cattle and seized vehicle during the course of trial. The applicants have shown readiness and willingness to abide the conditions the Court would impose upon them.

**Relating to cost of maintenance.**

14. According to the, Rule 4(2) the Prevention of Cruelty to Animals (Care and Maintenance of Case Property Animals) Rules, 2017, the Magistrate shall use the rates specified by the State Board as the minimum specified rates for transport, maintenance and treatment of the seized animals. As per Maharashtra Animal Welfare Board letter/notification dated 02-07-2019 rates for daily maintenance and care of large animals is specified as Rs. 200/- per day whereas Rs. 150/- for small animals.

15. As well as, as per the Rule 5(5) of the Prevention of Cruelty to Animals (Care and Maintenance of Case property Animals) Rules 2017, in case of offence relating to transport of animals, the vehicle owner, consignor,

consignee, transporter, agents and any other parties involved shall be jointly and severally liable for the cost of transport, treatment and care of animals. Further, Rule 5(4) provides that where a vehicle has been involved in an offence, the magistrate shall direct that the vehicle be held as a security. In view of said provisions as Goshala is taking care and maintaining seized 16 cattle from 01.02.2026 till today. In the present crime there are 16 cattle are large animals. Therefore, it is necessary to pay maintenance amount at the specified rate.

16. Applicants who is owner of said 16 cattle and vehicle as well as the Sadguru Sant Balumama Goshala Run and managed under Guru Mauvli Bahuudeshiya Samajik Sanstha, at post Dharpuri, Tq. Malshiras, Dist.Solapur have not disputed said fact as per above letter/notification. Therefore, owner of vehicle Umesh Natha Madane, owner of cattle Raj Ramdas Bhosale, accused no.2 Balekhan Linga Shaikh and accused no. 3 Sohil Balekhan Shaikh are jointly and severally liable to pay maintenance amount to Goshala as under:

- a) Daily Maintenance and Care :-  
for Large Animals  
Rs.200 x 16 cattle = Rs.3200/- per day

**Total maintenance for 16 cattle = Rs. 3200/- per day** from the date 01.02.2026 (i.e. date when police handed over cattle to the Goshala) till the date of handing over of said cattle to it's owner Raj Ramdas Bhosale.

17. In event of applicant/accused no.1 Umesh Natha Madane (vehicle owner), applicant Raj Ramdas Bhosale (cattle owner), accused no.2 Balekhan Linga Shaikh and accused no. 3 Sohil Balekhan Shaikh fails to pay the amount of maintenance to Goshala, as ordered by Court, in that case seized vehicle will remain as security. Considering the facts and circumstances and discussion as above, I pass following order.

**ORDER**

1)	Applications of vehicle owner Cri.M.A. No. 27/2026 and cattle owner Cri.M.A. No.31/2026 are allowed subject to conditions.
2)	Applicant/Accused - Umesh Natha Madane (owner of vehicle), applicant Raj Ramdas Bhosale (owner of cattle), accused no.2 Balekhan Linga Shaikh and accused no. 3 Sohil Balekhan Shaikh shall jointly and severally liable to pay to Sadguru Sant Balumama Goshala Run and managed under Guru Mauvli Bahuudeshiya Samajik Sanstha, at post Dharpuri, Tq.Malshiras, Dist.Solapur Rs.3200/- per day from date 01.02.2026 till the custody of 16 cattle is handed over to its owner Mr. Raj Ramdas Bhosale.
3)	On payment of maintenance charges to Goshala as above, interim custody of the 16 cattle be given to the applicant - Raj Ramdas Bhosale (Owner of cattle) on following terms and conditions.
a)	The applicant Raj Ramdas Bhosale (Owner of cattle) in Cri.M.A. No. 31/2026, shall furnish Supurtanama bond of Rs.1,00,000/- (Rs. One lakh only) binding himself that-
b)	He shall not subject said 16 cattle for slaughtering purpose and shall not cause damage or injury to their lives and limbs in any manner whatsoever till the conclusion of trial of present crime.
c)	He shall not transfer, sell and/or change the nature of the said 16 cattle in any manner till the conclusion of trial of present crime.
d)	He shall provide necessary medical treatment/ assistance, water and food to said cattle, maintain and preserve cattle with care diligently.
e)	The concerned I.O, is directed to prepare detailed panchanama of the above said 16 cattle before releasing in favour of owner of cattle/applicant Raj Ramdas Bhosale on Supurtanama and take its photograph countersigned by the owner of cattle/applicant.
f)	The I.O, is directed to send the above said Supurtanama, executed by the applicant/owner of cattle, detailed panchanama and photo along with the charge-sheet.
4)	After payment of maintenance charges to Goshala by applicant/accused Umesh Natha Madane (vehicle owner) and

		applicant Raj Ramdas Bhosale (cattle owner) as above, interim custody of seized vehicle i.e. VE COMMERCIAL VEHICLES LTD company golden coloured VE COMMERCIAL TRUCK bearing registration no.MH-05/AM-4784, chasis no.MC233HRC0DC081585 and engine no.E483CDDC608036 be given to the applicant/owner of vehicle – Umesh Natha Madane on following terms and conditions.
	a)	The applicant/owner of vehicle – Umesh Natha Madane in Cri.M.A.No. 27/2026, shall furnish Supurtanama bond of Rs.4,00,000/-(Rs. Eight lakhs only) binding himself that- he shall produce the vehicle above as and when required by the Court till the conclusion of trial of present crime, in default to forfeit the bond amount.
	b)	He is directed not to change, alter, alienate the property.
	c)	The concerned I.O, is directed to prepare detailed panchanama of the above said vehicle before releasing in favour of owner of vehicle/applicant Umesh Natha Madane on Supurtanama and take its photograph countersigned by the owner/applicant.
	d)	The I.O, is directed to send the above said Supurtanama, executed by the owner of vehicle/applicant Umesh Natha Madane, detailed panchanama and photo along with the charge-sheet.
5)		If, the applicant/accused Umesh Natha Madane (vehicle owner), Raj Ramdas Bhosale (cattle owner), accused no.2 Balekhan Linga Shaikh and accused no. 3 Sohil Balekhan Shaikh failed to pay maintenance charges as above, seized vehicle will be held as security for the same.

Date:- 13.03.2026

(V.K.Patil)  
Judicial Magistrate First Class,  
Mangalwedha.

**CERTIFICATE**

I affirm that the contents of this P.D.F. file Order are same word for the word as per original Order.

Name of Steno :- S.M. Gaddam, Steno L.G.

Court Name :- Smt. Vrushali K. Patil.

Judicial Magistrate F.C., Mangalwedha.

Date of decision. :- 13.03.2026

P. O. signed on :- 13.03.2026

Order uploaded on :- 16.03.2026