

GJVD021747112025



Order upon Application by Applicant Kalikrishna Mallik Thakur Power of Attorney of Manabendra Madhu Narayan Haldar. Residing at Tower F-804 Samanvay Westbreeze Gotri, Vadodara for interim custody of Mudamal belonging to the applicant, Polo 1.5 Highline TDI Registration No. GJ.01.RM.7799 Chassis No. MEXE15608FT103835. Engine No. CWX107482.

(1) The court has perused the application filed by the applicant and considered the documentary evidence. Additionally, the court has heard the detailed submissions made by the Learned advocate for the applicant, as well as the learned A.P.P. The applicant has filed the present application regarding the property seized in connection with offence registered at Laxmipura Police Station Crime. Reg. No. 11196037250390/2025, under Sections of Prohibition Act 66 1B, and 185 of MV Act seeking interim custody of the seized Mudamal property- Polo 1.5 Highline TDI Registration No. GJ.01.RM.7799 Chassis No. MEXE15608FT103835. Engine No. CWX107482.

(2) In support of the application, learned counsel for the applicant, submitted that the applicant's four-wheeler has been lying at the police station for a prolonged period, causing deterioration due to exposure and neglect. The applicant is facing significant hardship without the vehicle. The applicant has assured the court of compliance with all conditions imposed. The learned APP has mentioned that Mudamal only to be released if as per Law all requirements are fulfilled.

(3) Perused the documents submitted by the applicant/owner/accused, including a Xerox copy of the Registration Certificate (RC Book) Exh-05 and aadhar card, which shows his ownership of the Mudamal four-wheeler. As per panchnama the muddamal seized is verified with the RC book provided by applicant. The owner shown in RC Book has given special Power of Attorney in the name of applicant and the document is produced by Exh-06. Additionally, the accused in the case has filed a no-claim pursis, stating no objection to the return of the vehicle to the applicant. The learned APP has opined that the vehicle may be handed over to the applicant, subject to conditions imposed by the Hon'ble Court. The police has opined that the muddamal should not be released. Considered, the judgement of the Hon'ble Supreme Court, in Sundarbhair Ambalal Desai vs. State 2002(10) S.C.C., certain

principles has been laid down which is applicable to the present case. Given these circumstances, the applicant's request cannot be denied. Therefore, it is deemed appropriate to release the Mudamal four- wheeler to the applicant on an interim basis, subject to suitable conditions.

-:O R D E R:-

To the applicant, Kalikrishna Mallik Thakur Power of Attorney of Manabendra Madhu Narayan Haldar. Residing at Tower F-804 Samanvay Westbreeze Gotri, Vadodara the interim custody of the seized Mudamal property- Polo 1.5 Highline TDI Registration No. GJ.01.RM.7799 Chassis No. MEXE15608FT103835. Engine No. CWX107482.- is **"Granted"** upon furnishing a valid surety equivalent to one and a half times of the value of the said property, and a Personal Bond. Pending final judicial determination, the muddamal is released on an interim basis subject to the following conditions:

-: C O N D I T I O N :-

1. The applicant shall not sell, pledge, or transfer the Mudamal four-wheeler until the case is finally disposed of.
2. The applicant shall produce the Mudamal four-wheeler before the court at his own expense whenever directed.
3. The applicant shall not use the said vehicle in any criminal activity or offense of a similar nature.
4. The applicant shall take clear four-sided photographs of the Mudamal four-wheeler at his own expense and submit them to the concerned authority, ensuring they are produced at the time of filing the charge sheet.
5. The applicant shall furnish valid surety and execute a bond for the Mudamal four-wheeler at the concerned police station.
6. In case of any breach of the above conditions, the applicant shall deposit the Mudamal four-wheeler and any bail amount as directed by the court.

A copy of this order shall be sent to the concerned police station for compliance, and another copy shall be placed on the case record.

This order is read, pronounced, and declared under my signature in open court on this 14th day of November, 2025.

Dated: 14.11.2025

Place:Vadodara

(Rahul Sachdeva)
08th JMFC, Vadodara

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