

Order passed below Misc. Application No. 395/MISC./2018

1] Read the application. This is an application filed U/sec. 451 of Cr. P. C. for seeking interim custody of muddemal property i. e. One Samsung company made mobile phone, model No. J-7 Max, IMEI No. 353107099710895 / 353108099710893 as seized by the MCT Railway Police Station in C. R. No. 1928/2018. I.O. has no objection to return the said property to the present applicant.

2] Perused the case papers of the present case. It appears that the present applicant is the owner of the above said seized muddemal property. I. O. has no objection to return the said property to the present applicant. No purpose will be served by keeping the said muddemal property with MCT Railway Police Station in idle condition. No other person having better or superior claim or title to the said property as claimed it from the Court. Therefore, I am of the opinion that the present applicant is entitled for interim custody of the said seized muddemal property. Hence, I proceed to pass the following order :-

ORDER

1] Interim custody of the muddemal property i. e. One Samsung company made mobile phone, model No. J-7 Max, IMEI No. 353107099710895 / 353108099710893, as seized by the MCT Railway Police Station in C. R. No. 1928/2018 is hereby granted to the present applicant namely – Mr. Amir Arun Tadvalkar, R/o:- Building No. 32, Room No. 504, Malwani Sanskruti, Shivaji Sankul, Old Mhada, Ekta Nagar, Malad (W), Mumbai, on executing Bond of Rs.15,000/- (Rupees Fifteen Thousand only) before Officer of the MCT Railway Police Station, on following conditions :-

(a) Applicant shall not change its colour or nature of above said muddemal property till decision of the present case.

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(b) Applicant shall produced the same as and when required during the trial till decision of the present case.

2. I.O. shall furnish the Bond along with the final report / chargesheet, in this Court.

3. Copy of this order be kept in original C. R. No. 1928/2018 and the concerned criminal case.

Sd/-

(V. R. Dasari)

Metropolitan Magistrate

18th Court, Girgaum, Mumbai.

I/c 36th Court, Mumbai Central, Mumbai

Date : 25/09/2018