

3. Objections against the Application for return of the custody of the muddamal vehicle.

**IN THE COURT OF LD. JUDICIAL MAGISTRATE,
FIRST CLASS AT _____, DIST: _____**

C.R. NO. OF 200__
APPLICATION NO. OF 200__

Re : Objections against the Application for return of the custody of the muddamal vehicle.

MAY PLEASE THE HONOURABLE COURT :

It is respectfully prayed on behalf of the complainant herein/ Panjarapole/ Institution working for animal welfare that :-

- (1) Looking to the facts of the complaint of the present case, the accused are habituated in committing non-bailable offences regularly and on large scale. At present, investigation is going on. Further, their true and real name and address is not on record. They are likely to abscond. Further, If their vehicle is released, the slaughtering of innocent animals would start again.
- (2) The accused of this case have not furnished true and correct information before the Police and have misled the police. The accused of this case are hardened offenders involved in slaughtering of the animals. Hence, it is prayed not to release their vehicle.
- (3) That at the first instance, Police Officer may be directed to investigate whether the vehicle caught is involved in any other offence earlier by sending wireless message to all the police stations of the State of Gujarat and after such investigation, Police Officer may be directed to make statement before the Hon'ble Court in that regard. Simultaneously, applicant may be directed to furnish undertaking in writing disclosing whether the said vehicle is involved in any offence earlier or not and whether any terms and conditions are imposed by any Hon'ble Court in that regard. It is, therefore, prayed that till the investigation on this aspect is over, the Hon'ble Court may not pass any orders on the present application.
- (4) The Police Officer may also be directed to intimate to Regional RTO Office all the details of the offence in question and details of the vehicle involved in the said

offence and also file an affidavit before this Hon'ble Court that the details as aforesaid have been furnished/ supplied to Regional RTO Office.

- (5) In the alternative, if the Hon'ble Court comes to the conclusion that the vehicle requires to be released, in that event, the Hon'ble Court may be pleased to direct the applicant to furnish Bond/ Undertaking before this Hon'ble Court before passing any order containing following terms and conditions and on deposit of the cash amount:-
- (i) That prior to the present offence, the vehicle is not involved in connection with the offence of beating or causing cruelty to the animals and that the same will not be used for the same offence in future;
 - (ii) Till the final disposal of the criminal case, the applicant shall not sell, mortgage, gift or in any manner transfer the vehicle in question to any person.
 - (iii) Shall produce the vehicle in question before the Hon'ble Court as when so directed by the Hon'ble Court.
 - (iv) The applicant also hereby gives undertaking that on receipt of seven days prior notice by the Investigating Officer or by the complainant or by the Institution involved in the activities of protection of living creatures, the applicant shall produce the muddamal vehicle before the Investigating Officer.
 - (v) The applicant shall not change the appearance of the vehicle as well as change the machineries of the vehicle till the disposal of the criminal case.

N.B : It is requested to intimate Regional Transport Officer concerned by a separate Yadi regarding registration of the offence and copy of the order passed below the application for recovery of muddamal.

PLACE : _____

DATE :