

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.41029 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking to declare the action of the respondents in registering FIR No.206 of 2016, dated 01.09.2016, on the file of the Nalgonda Rural Police Station, Nalgonda District, and taking over the custody of 65 animals, as illegal and arbitrary and consequently to quash the proceedings therein.

Heard and perused the material available on record.

The case of the petitioners is that the 3rd respondent registered a case in FIR No.206 of 2016, dated 01.09.2016, against the petitioners for the offences under Sections 5, 6 & 10 of the Prohibition of Cows Slaughter and Animal Protection Act, 1977. It is alleged that on receipt of reliable information, the S.I. of Police, Nalgonda, along with his staff rushed to cattle shed of one Singireddy Kamalakar Reddy at the outskirts of Mella Dupalapally at 15.00 hours and found some cows and two persons at the cattle shed and that in the confessional statement of the accused, the accused disclosed that the accused intended to purchase cows and calf for slaughtering in Nalgonda Town in connection with Bakrid Festival, which is being celebrated in Nalgonda Town on 12.09.2016. The main grievance of the petitioners is that the respondents forcefully collected the animals and transported them to Goshala without conducting any proper enquiry.

At the time when the matter is taken up for hearing, the learned Assistant Government Pleader for Home submitted that the 3rd respondent has investigated into the matter and filed a charge

sheet in FIR No.206 of 2016 and that the cause in the writ petition does not survive and the same is liable to be dismissed.

Accordingly, the Writ Petition is dismissed. However, the petitioners are at liberty to approach the Court concerned, where the FIR is pending, and file an application for release of animals. On such application being filed, the Court concerned shall consider the same and pass appropriate orders, in accordance with law. No costs. As a sequel thereto, Miscellaneous Petitions, if any, pending in this writ petition, shall stand closed.

RAJA ELANGO, J

Date: 26th December, 2016

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