



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

Crl.R.C.No.1057 of 2018

Allaudin

...Petitioner

.. Vs ..

State by:

The Sub Inspector of Police,
Suramangalam Police Station,
Salem District.

(Crime No.798 of 2018)

... Respondent

PRAYER: Criminal Revision Case filed under Section 397 r/w. 401 of Cr.P.C., against the order passed by the learned Judicial Magistrate No.II, Salem dated 21.08.2018 in C.M.P.No.4768 of 2018 in Crime No.798 of 2018 thereby dismissing the petition filed by the petitioner.

For petitioner : Mr.R.Karthik

For Respondent : Mr.S.Vinoth Kumar,
Public Prosecutor (Crl.side)

O R D E R

The respondent police registered a crime No.798 of 2018 for the alleged offence under Sections 4, 8(1), 8(2), 11(1)(a), 11(1)(d), 11(1)(e) Prevention of Cruelty to Animals Act 1960 and 429 of I.P.C.

2.Pending investigation, they have seized 83 cows from the custody of the 4th accused and the same was handed over to koshala for maintenance.

3. C.M.P.No.4768 of 2018 is filed for interim custody alleging that they have not committed any offence and the said petition was dismissed by the order of this Court dated 21.08.2018.

4. The learned counsel for the petitioner contended that in view of the order passed in Crl.R.C.Nos.1082 to 1087 of 2017



dated 28.03.2018, the interim custody of the cows may be granted to the revision petitioner herein.

5. The learned Magistrate has followed the decision of this Court in Crl.R.C.No.777 of 2010 and Crl.R.C.No.1534 of 2011.

6. The learned Government Advocate (Crl.Side) contended that this Court vide its order dated 16.08.2021 and 29.09.2021 had directed him to ascertain about the status of the life of 83 cows in the Koshala and regarding the same, investigation has already been done and the matter is now taken cognizance as calender case and it is ready for trial. In view of the subsequent development made in the case, the learned Magistrate is hereby directed to complete the calender case within a period of 12 weeks and also to decide about the custody of the 83 cows where it has to be handed over.

7. Hence without going into the merits of the case, this Criminal Revision Petition stands closed with a direction to dispose of the main case within a period of 16 weeks from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1. The Judicial Magistrate No.II,
Salem
2. The Inspector of Police,
Suramangalam Police Station,
Salem District.
3. The Public Prosecutor,
High Court, Madras - 104

Copy to :

The Section Officer,
Criminal Section,
High Court, Madras-104

order in
Crl.R.C.No.1057 of 2018

VSN-II (CO)

K.RK. (18.10.2021)