



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2021

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THE HON'BLE MS.JUSTICE R.N.MANJULA

CRL.RC.NOS.1151 TO 1153 & 1155 TO 1157 OF 2013

AND

CRL.MP.NOS.1,1,1,1,1 & 1 AND 2, 2, 2, 2, 2 & 2 OF 2013

Cr1.RC.No.1151 of 2013

G.Arun Prasanna
President,
People for Cattle in India,
208, Sai Niketan,
No.6, Lock Street,
Kottur, Chennai - 85.

... Petitioner/Defacto Complainant
in all petitions

Vs.

Anil

... Respondent/Petitioner in
CRL.RC.No.1151 of 2013

Wajeed

...1st Respondent in
CRL.RC.No.1152 of 2013

Govind @ Babu Govind

...1st Respondent in
CRL.RC.No.1153 of 2013

Sudhakar

...1st Respondent in
CRL.RC.No.1155 of 2013

Dass

...1st Respondent in
CRL.RC.No.1156 of 2013

Narashima

...1st Respondent in
CRL.RC.No.1157 of 2013



2. The Inspector of Police,
Nazarathpet (T.16) Police Station,
Chennai.

Crime No.336 of 2013

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... 2nd Respondent/Respondent
in all petitions

Prayer:- This Criminal Revision Petition is filed under Section 397 r/w 401 of Cr.P.C., to call for the records in CMP.No.1945 of 2013, 1943, 1946, 1948, 1949 & 1950 respectively, dated 03.09.2013 on the file of the learned Judicial Magistrate No.1, Poonamalle, and set aside the same.

For Petitioners : Mr.MVS.Rajendra Kumar
(in all petitions)

For Respondents : Mr.A.Gopinath [R2]
(in all petitions) Government Advocate
(Cr1.Side)
No appearance [R1]

COMMON ORDER

(Heard through Video Conferencing)

These Criminal Revision Petitions have been filed challenging the orders of the learned Judicial Magistrate I, dated 03.09.2013 passed in CMP.Nos.1945, 1943, 1946, 1948, 1949 & 1950 of 2013 respectively to set aside the same.

2. These petitions have been filed before the learned Judicial Magistrate I for the return of cattle and other case properties involved in Crime No.336 of 2013 under Section 429 IPC r/w 11 of Prevention of Cruelty to Animals Act, 1986. The learned Judicial Magistrate has passed an order for return of properties to the petitioners on certain conditions.

3. Now this petitioner, who is an animal activist has filed these revision petitions by stating that the cattle which have been returned to the petitioners in the above mentioned CMPs, have been abused and they have been handed over to various persons and agencies for using them for commercial purposes.



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(i) C.M.Reddy - Out of 12 Cattle, 10 Nos. of cattle were died and 2 Nos. of cattle are available with him.

(ii) Indian Institute of Animal Welfare - Out of 51 Cattle, 12 Nos. of cattle were died and 39 buffaloes are well maintained and available with them.

(iii) Sri Venkateshwara Trust - Out of 125 cattle, 103 Nos. of cattle were died and 22 Nos. of cattle are available with them.

(iv) People for Animals Charitable Trust - Out of 25 Cattle, 8 Nos. of Cattle were died and 17 Nos. of cattle are available with them."

4. During the pendency of this case, one M/s.SLV Goshala Trust and Research Centre, has filed a petition to implead themselves as parties to these proceedings. The proposed third respondent has stated that some of the cattle are under his custody and hence, he has to be impleaded as a party to these proceedings.

5. From the submissions made by the learned Government Advocate, it is seen that the charge sheet in this case has already been filed and the case was also taken on file in CC.No.143 of 2015 and the case is posted to 03.01.2022 for further proceedings.

6. The learned counsel for the petitioner submits that the number of cattle now alive are kept in a very safe condition and the agencies are bestowing best care for them. And the allegations of violation of the condition imposed by the Court involve lot of facts. So the trial Court can only appreciate the same from the materials placed before it.

7. I feel it is appropriate to close these revision petitions with the following directions:-

a) Since the cattle of this case are the case property of CC.No.143 of 2015 and the learned Judicial Magistrate I, has passed an order for interim custody of the cattle, any party who got aggrieved due to violation of any of the condition imposed by the Court can make applications before the Judicial Magistrate I, for taking those submissions into consideration



while passing property disposal order at the disposal of the case.

b) The Judicial Magistrate I, Poonamallee, is at liberty to pass any modification order with regard to the interim custody of cattle if the situation so warrants.

c) No material is produced as of now to show that the cattle which died were subjected to abuse or traumatised, though this petitioner has a good intention of protecting the cattle.

In view of the above observations, these Criminal Revision Petitions are closed. Connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-IX)

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Sub Assistant Registrar

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To

1. The Judicial Magistrate No.1,
Poonamallee.
2. The Chief Judicial Magistrate,
Thiruvallur.
3. The Inspector of Police,
Nazarathpet (T.16) Police Station,
Chennai.
4. The Public Prosecutor,
Madras High Court.

+1cc to M/s.Norton & Grant, Advocate, S.R.No.58235

Cr1.RC.Nos.1151 to 1153 & 1155 to 1157 of 2013

RR(CO)
RLP(26/11/2021)