



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.02.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD)No.12371 of 2021

and

Crl.M.P. (MD) .No.6322 of 2021

WEB COPY

Saravana Kumar

...Petitioner/Accused No.4

**Vs.**

1.The State

Rep. by its Inspector of Police,  
Alanganallur Police Station,  
Madurai District.

Crime No.1463/2020

...Respondent/Complainant

2.A.Jayaraman

The Sub Inspector of Police,  
Alanganallur Police Station,  
Madurai District.

...Respondent/Defacto-Complainant

**Prayer:** Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records FIR in Crime No.1463 of 2020 on the file of the first respondent police and quash the same against the petitioner.

For Petitioner : Mr.S.SIVAKUMAR, Advocate

For R1 : Mr.E.ANTONY SAHAYA PRABAHAR  
Additional Public Prosecutor

**ORDER**

Heard the learned counsel for the petitioner and learned Additional Government Pleader for the first respondent.

2. The petitioner is figuring as the fourth accused . It is the case of the prosecution that on 29.07.2020, in violation of the lock down restrictions, the bull was carried in a vehicle. Even from a bare reading of the FIR, one can note that no cruelty as such was committed on the animals. The accused were not suffering from any infectious disease, therefore, Section 269 IPC could not be invoked. The respondents Police could not have registered the FIR on their own in respect of the offence under Section 188 IPC. That would run counter to the ratio laid down in **Jeevanantham's case**. Looked at



from any angle, the FIR is not maintainable. It stands quashed. The Criminal Original Petition is allowed. Consequently, the connected Miscellaneous Petition is closed. The benefit of the order will enure in favour of the non-petitioning accused also.

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Sd/-  
Deputy Registrar (Accounts)

// True Copy //

/ /2022  
Sub Assistant Registrar(CS)

**Note :**In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

**To**

- 1.The Inspector of Police,  
Alanganallur Police Station,  
Madurai District.
- 2.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

**Crl.O.P. (MD)No.12371 of 2021**  
**and**  
**Crl.M.P. (MD) .No.6322 of 2021**  
**Date:01.02.2022**

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