



W.P.No.33579 of 2023
& WMP.No.33391 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 13.12.2023

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.33579 of 2023
& WMP.No.33391 of 2023

Ayyothi.

... Petitioner

/versus/

1. The State of Tamil Nadu,
Rep. By its Principal Secretary to Government,
Home Department, Secretariat, Fort St. George, Chennai – 600 009.
2. The Director General of Police,
Director General of Police Office,
Chennai – 600 004.
3. The Superintendent of Police,
Superintendent of Police Office, Tiruvannamalai,
Tiruvannamalai – 606 604.
4. The Deputy Superintendent of Police,
Deputy Superintendent of Police, Chengam,
Tiruvannamalai – 606 709.
5. The Sub-Inspector of Police,
Pudupalyam Police Station,
Tiruvannamalai – 606 705.



W.P.No.33579 of 2023
& WMP.No.33391 of 2023

6. L.Balaji,
7. K.Venkatesan,
8. V.Kumar,
9. K.Ramachandran,
10. M.Subramani,
11. Mrs.Latha,
Sub-Inspector of Police,
Pachal Police Station,
Tiruvannamalai District.

... Respondents

Prayer: Writ Petition has been filed under Article 226 of the Constitution of India, pleased to issue Writ of Mandamus to direct the third respondent to recover the stolen cows of petitioner and order for further investigation on final report based on registered FIR No.227 of 2022 at Pudupalayam Police Station and order accused to pay the victim compensation of Rs.1,50,000/- to the victims in the FIR No.227 of 2022 within the time bound manner fixed by this Hon'ble Court.

For Petitioner : Mr.V.Narasimma Moorthy

For Respondents : Mr.Leonard Arul Joseph Selvam,
Government Advocate (Crl.Side)



W.P.No.33579 of 2023
& WMP.No.33391 of 2023

ORDER

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The petitioner herein, who has lost two mulching cows and the calf is before this Court alleging that, the investigation was not done properly and having lost income earning cows worth Rs.1,50,000/-, he must be compensated under the victim compensation scheme.

2. The Learned Government Advocate (Crl.Side) appearing for the respondents state that, pursuant to the complaint given by the petitioner herein F.I.R was registered on 10.08.2023, three persons were suspected and two were arrested and one got anticipatory bail. On completion of investigation final report has been filed and there is no perfunctory investigation. Stolen cow could not be traced, since it was sold in the open market.

3. The Learned Counsel appearing for the petitioner states that, if the respondents had properly investigated the accused persons, the cow sold to the regular customers would have been recovered.



W.P.No.33579 of 2023
& WMP.No.33391 of 2023

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4. This Court, on considering the submissions, direct the respondent police to trace the cow though they have filed the final report and if the cow is traced, to file additional report before the trial Court. As far as victim compensation is concerned, the petitioner has to approach the Court concerned in accordance with law as per Section 357 of Cr.P.C., and seek his remedy.

5. Accordingly, this *Writ Petition is disposed of*. No costs.
Consequently, connected Miscellaneous Petition is closed.

13.12.2023

Index :Yes/No.

Internet :Yes/No.

Speaking Order/Non-Speaking Order

bsm

Copy to:-

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2. The Director General of Police,
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Chennai – 600 004.
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Page No.4/6



W.P.No.33579 of 2023
& WMP.No.33391 of 2023

WEB COPY

4. The Deputy Superintendent of Police,
Deputy Superintendent of Police, Chengam,
Tiruvannamalai – 606 709.
5. The Sub-Inspector of Police,
Pudupalyam Police Station,
Tiruvannamalai – 606 705.
6. Mrs.Latha,
Sub-Inspector of Police,
Pachal Police Station,
Tiruvannamalai District.
7. The Public Prosecutor, High Court, Madras.



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W.P.No.33579 of 2023
& WMP.No.33391 of 2023

DR.G.JAYACHANDRAN, J.

bsm

W.P.No.33579 of 2023

13.12.2023

Page No.6/6