



CrI.O.P.(MD)No.430 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 11.01.2024

CORAM :

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CrI.O.P.(MD)No.430 of 2024

Nirmal Kumar

...Petitioner

Vs.

1.The Inspector of Police,
Thiruvaiyaru Police Station,
Thanjavur District.
(Cr.No.425 of 2023)

2.The Manager,
Nandhi Kishore Salai,
Agraharam Theru,
Ranganathapuram,
Thirukattupalli, Budalur,
Thanjavur.

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the first Respondent to communicate the second Respondent to return the bulls to the Petitioner forthwith sent by the first Respondent to the second respondent in light of the Petitioner's representation dated 19.12.2023 on the file of the Respondent police.

For Petitioner : Mr.B.Vetrivel

For R1 : Mr.T.Senthil Kumar
Additional Public Prosecutor



Crl.O.P.(MD)No.430 of 2024

WEB COPY

ORDER

The Petitioner had filed this Petition seeking for release of the bulls from the custody of the second Respondent, who is running Nandhi Kishore Kosalai for maintenance of cows and bulls.

2. The learned Counsel appearing for the Petitioner submitted that the bullock cart along with the bulls was seized by the first Respondent on the allegation that he had unlawfully transported river sand and thereafter, it was handed over to the custody of the second Respondent. Therefore, the Petitioner seeks return of the bulls.

3. The learned Additional Public Prosecutor appearing for the first Respondent submitted that a case was registered in Crime No.425 of 2023 for the offences punishable under Section 379 IPC and Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957 by the first Respondent. The learned Additional Public Prosecutor, on instructions, submitted that the Petitioner was also arrested for transporting 1/4th unit of river sand. Since no person is available to take care of the bulls, they have been sent to the said Kosalai for the purpose of maintenance.



Crl.O.P.(MD)No.430 of 2024

WEB COPY

4. There shall be a direction to the second Respondent to hand over the bulls to the Petitioner under proper acknowledgment. The Petitioner is also directed to bear the expenses for the maintenance amount of the above said Kosalai at the rate of Rs.250/- per day.

5. With the above directions, this Criminal Original Petition is disposed of.

11.01.2024

Index : Yes/No

Internet: Yes/No

jbr

To

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



WEB COPY



CrI.O.P.(MD)No.430 of 2024

SATHI KUMAR SUKUMARA KURUP, J.,

jbr

CrI.O.P.(MD)No.430 of 2024

11.01.2024