



Crl.O.P.(MD) No.576 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 12.01.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.576 of 2024

Loganathan

...Petitioner

VS

**1.The Inspector of Police,
Thogur Police Station,
Thanjavur District,
Crime No.292 of 2023**

**2.The Manager,
Nandhi Kishore Kosalar,
Agraharam Theru,
Ranganathapuram,
Thirukattupalli,
Budalur, Thanjavur District.**

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the 1st respondent to communicate the 2nd respondent to return the petitioner's bulls that was handed over by the 1st respondent, on the basis of the representation on 03.01.2024.

**For Petitioner : Mr.T.Lenin Kumar
For R1 : Mr.T.Senthil Kumar
Additional Public Prosecutor**



Crl.O.P.(MD) No.576 of 2024

ORDER

WEB COPY

This Criminal Original Petition is filed 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, on the basis of the Petitioner's representation dated 03.01.2024.

2.It appears that even though the cart has been recovered as per the seizure mahazar, the Bulls that have been tied with the cart are not the case properties. Hence, they have been sent to the Kosalai, who is the second Respondent herein. Only the acknowledgment has been produced.

3.The learned Additional Public Prosecutor submitted that since the Petitioner was arrested on the spot itself and no person is available to take care of the Bulls, they have been sent to the Kosalai for the purpose of maintenance.

4.Since the property has not been shown as case properties, there is no remedy available to the Petitioner under Section 451 Cr.P.C. Therefore,



Crl.O.P.(MD) No.576 of 2024

there shall be a direction to the second Respondent to hand over the Bulls to the Petitioner under proper acknowledgment and also on execution of bond for Rs.25,000/- (Rupees Twenty Five Thousand only) for the above said Bulls before the Respondent Police. The Petitioner is directed to bear the expenses of the maintenance amount of the above said Kosalai at the rate of Rs.250/- per day.

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

Internet:Yes./No
Index:Yes/No
mm

12.01.2024

To

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



WEB COPY



Crl.O.P.(MD) No.576 of 2024

SATHI KUMAR SUKUMARA KURUP, J.

mm

CRL.O.P (MD) No.576 of 2024

12.01.2024