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**Bablu Vs. the State of Madhya Pradesh**

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**SooperKanoon Citation** : sooperkanoon.com/1043237

**Court** : Madhya Pradesh

**Decided On :** Jul-17-2013

**Appellant** : Bablu

**Respondent** : The State of Madhya Pradesh

**Advocate for Pet/Ap.** : Shri. Pradeep Naveriya

**Judgement** :

M.Cr.C.No.8243/2013 M.Cr.C.No.8243/2013 17.7.2013 Shri Pradeep Naveriya, counsel for the applicants.

Shri Prakash Gupta, Panel Lawyer for the State/respondent.

As prayed by the learned counsel for the parties, heard them finally.

The applicants have moved the present petition under section 482 of the Cr.P.C.against the order dated 13.6.2013 passed by the learned Second Additional Sessions Judge, Waraseoni in criminal revision No.60/2013, whereby the application of the applicant relating to supurdginama of various bullocks was dismissed.

The prosecution's case, in short, is that, on 9.5.2013, the accused Bhikharilal and Gendlal were found with 9 bullocks.

They were taking those bullocks to Maharashtra and therefore, a case for offence punishable under section 11 of the Prevention of Cruelty to Animals Act and sections 4, 6 and 9 of M.P.Co.Slaughter Prohibition Act was registered.

The applicants moved an application for supurdginama of the bullocks on the ground that they purchased those bullocks from market in the jurisdiction of Gram Panchayat Paradwani (Lalbarra).The application filed by the applicant M.Cr.C.No.8243/2013 was dismissed by the trial Court as well as by the revisionary Court.

It is apparent that the applicants could not establish that the receipts filed by the applicants were for the same bullocks, which were recovered by the police and therefore, those were not given to the applicants.

It is also observed that the accused persons have claimed that they purchased the bullocks and they were taking them to Maharashtra.

They did not say that they were provided those bullocks by the applicants to take them to the house of the applicants.

Under such circumstances, it is doubtful that the applicants are claiming those bullocks with help of such receipts which were issued for the bullocks recovered by the police.

However, the learned counsel for the applicants submits that the applicants are ready to deposit cash amount before the trial Court for each and every bullock and therefore, if it is found that the bullocks were not of the applicants then, the deposited sum may be forfeited.

On the assurance given by the learned counsel for the applicants, the petition under section 482 of the Cr.P.C.may be accepted with the condition that the applicants shall deposit a sum of Rs.9,000/- for each and every bullock before the trial Court with M.Cr.C.No.8243/2013 supurdginama that as and when the trial Court directs to produce the bullocks then, each of the bullocks be produced before the trial Court on the cost borne by the applicants.

If it is found that the bullocks were not of the applicants then, the trial Court may direct the applicants to produce the bullocks in a healthy condition or the amount deposited before the trial Court may be forfeited.

With the aforesaid directions, the present petition under section 482 of the Cr.P.C filed by the applicants is hereby disposed off.

A copy of the order be sent to the trial Court for information and compliance.

(N.K.GUPTA) JUDGE Pushpendra

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