

KARN220056332023



IN THE COURT OF THE PRINCIPAL CIVIL JUDGE AND
J.M.F.C. AT CHANNAPATNA

:- PRESENT :-

SHRI. YOGESHA K B.A.L. L.L.M. PGDHRM.
Principal Civil Judge & J.M.F.C.,
Channapatna.

Dated this the 15th day of April 2026

C.C.No.3891 of 2023

BETWEEN

THE STATE OF KARNATAKA,
REPRESENTED BY PSI
RURAL POLICE STATION
CHANNAPATNA TALUK

...COMPLAINANT

(BY ASSISTANT PUBLIC PROSECUTOR)

AND

1. SHRI. PUTTASWAMI
S/O LATE SRINIVASHA
AGED ABOUT 48 YEARS

2. SHRI. SUBANU
LATE SYED
AGED ABOUT 56 YEARS

BOTH ARE RESIDENT AT
CHANNAPATNA TOWN
CHANNAPATNA TALUK.

... ACCUSED

(ACCUSED BY SHRI. BNS ADVOCATE)

1.	Date of commission of offence	23.09.2022
2.	Date of report of offence	23.09.2022
3.	Date of arrest	23.09.2022
4.	Name of the Complainant	Shri.HC Krishnegowda
5.	Date of recording evidence	18.06.2025
6.	Date of closing evidence	11.08.2026
7.	Offence complied of	Under Section 4 and 12 of Karnataka Prevention of Slaughter and Preservation of Cattle Ordinance 2020
8.	Opinion of the Judge	Found not guilty
9.	Decision	Acquitted

(YOGESHA K)
PRL. CIVIL JUDGE & J.M.F.C.,
CHANNAPATNA

J U D G M E N T

The Police Sub-Inspector of the Rural Police Station, Channapatna Taluk, has filed a charge sheet against Accused Nos. 1 and 2 for the offences punishable under Sections 4 and 12 of the Karnataka Prevention of Slaughter and Preservation of Cattle Ordinance, 2020.

BRIEF FACTS OF THE PROSECUTION CASE

2. On 23.09.2022 at about 8:00 a.m., at Malurupattana Village, Malur Hobli, Channapatna Taluk, the accused allegedly purchased a female crossbreed cow from one Kiran under the pretext of rearing it. However, it is alleged that the said purchase was made with the intention of selling the animal for meat. At about 10:00 a.m., while Accused No.1 was transporting the said cow, CW-1 noticed the same and informed the police by dialing 112. Subsequently, CW-4 and CW-5 (police personnel) arrived at the spot, secured the cow and apprehended Accused No.1. Upon enquiry, it was revealed that Accused No.2 had purchased the cow from

Kiran for monetary consideration with the intention of selling it for slaughter, and that Accused No.1 was transporting the same to a mutton market for that purpose.

3. On the basis of the first information given by the CW-1 the case came to be registered in Crime No.252 of 2022 of Rural Police Station against the accused for the offences punishable under Section 4 and 12 of Karnataka Prevention of Slaughter and Preservation of Cattle Ordinance 2020 at about 10.30 AM on 23.09.2022.

4. After registering the case, First Information Report was submitted to this Court on 23.09.2022 at 03.30 PM. After recording the statements of witnesses, drawing up of Mahazar at spot, seized the articles and concluded the investigation and the charge sheet came to be filed by the Investigating Officer against the accused citing as many as 06 witnesses.

5. Accused were enlarged on bail. After taking the cognizance for the offence mentioned supra, this court

issued the process to the accused persons for their appearance. Upon service of process the accused appeared through their counsel. The charge sheet papers were furnished and provisions of Section 207 of Cr.P.C. were complied. Upon hearing the accused charges were framed as found prima-facie case, read over and asked the accused whether they pleads guilty or not and to which they voluntarily pleaded not guilty of the offence charged and claimed to be tried. Hence, the matter was posted for evidence.

6. In order to bring home the guilt of the accused, prosecution has examined in all 05 witnesses and has got marked 04 documents as Ex.P.1 to Ex.P.4.

7. After the completion of evidence on prosecution, accused have been examined under Section 313 of Criminal Procedure Code with regard to the incrimination circumstances emanating from the prosecution evidence. The case of the accused is one of total denial of the allegation leveled against them. They have not chosen to lead any evidence on their side.

8. The provisions of Section 437(A) of Cr.P.C., were complied with.

9. I have heard the argument of Ld.APP and learned counsel for accused persons. Perused the oral and documentary evidence and materials on record.

10. The following points arise for considerations by this Court are;

- 1) Whether the prosecution proves beyond reasonable doubt that on 23.09.2022 at about 10:00 a.m., at Malurupattana Village, Malur Hobli, Channapatna Taluk, Accused No.1 was found transporting a female cow, which had been purchased by Accused Nos.1 and 2 from one Kiran, with the intention of selling the same for slaughter, and thereby committed an offence punishable under Section 4 of the Karnataka Prevention of Slaughter and Preservation of Cattle Ordinance, 2020?

2) Whether the prosecution further proves beyond reasonable doubt that on the above said date, time, and place, Accused Nos.1 and 2 were in possession of the said cattle for the purpose of slaughter and sale of beef, in contravention of the provisions of the said Ordinance, and thereby committed an offence punishable under Section 12 of the Karnataka Prevention of Slaughter and Preservation of Cattle Ordinance, 2020?

3) What order?

11. The findings of this court to the above Points are as under;

Point No.1 : In the Negative

Point No.2 : In the Negative

Point No.3 : As per final order

for the following:

- : R E A S O N S : -

12. **Point No.1 to 4:** All these points are interlinked, as they arise out of the same transaction and relate to

the alleged illegal transportation of cattle. Hence, they are taken up together for common discussion in order to avoid repetition of facts and evidence.

13. The burden lies on the prosecution to establish beyond reasonable doubt that on 23.09.2022 at about 10:00 a.m., at Malurupattana Village, Malur Hobli, Channapatna Taluk, Accused No.1 was found transporting a cow, which was allegedly purchased along with Accused No.2 with an intention to sell the same for slaughter, thereby committing offences punishable under Sections 4 and 12 of the Karnataka Prevention of Slaughter and Preservation of Cattle Ordinance, 2020.

14. In order to prove its case, the prosecution has relied upon the oral evidence of PW-1 to PW-5 and documentary evidence at Ex.P-1 to Ex.P-4.

15. At the outset, it is pertinent to note that PW-1 complainant, who is the star witness of the prosecution, has not supported the case of the prosecution in material

particulars. Though he admits that he made a call to the police on suspicion, he has categorically stated that he did not lodge any complaint. He has further deposed that though Ex.P-1 bears his signature, he is unaware of its contents and that the police obtained his signature in the village. Thus, the very foundation of the prosecution case, namely the complaint, becomes doubtful. PW-1 has denied all material suggestions put forth by the prosecution regarding purchase of the cow by the accused, their intention to slaughter, and the alleged apprehension of the accused at his instance. Hence, PW-1 has been treated as a hostile witness, and his evidence does not support the prosecution version.

16. Further, PW-2 and PW-3, who are cited as panch witnesses, have also not supported the case of the prosecution. Both these witnesses have categorically stated that they have no knowledge about the incident and that the police merely obtained their signatures at the police station. Though they have identified the Ex.P-2 and Ex.P-3 photographs, they have not supported the alleged seizure mahazar or the prosecution story

regarding apprehension of the accused with the cow. They have denied their participation in any mahazar proceedings at the spot and have also denied giving any statements to the police. Thus, the evidence of PW-2 and PW-3 fails to corroborate the prosecution case. Their hostility seriously affects the credibility of the alleged seizure and other procedural aspects.

17. The prosecution mainly relies upon the evidence of PW-4 Police Constable and PW-5 Investigating Officer. PW-4 has deposed regarding receipt of information from the control room, proceeding to the spot, and apprehending Accused No.1 along with the cow. However, his evidence remains uncorroborated by any independent witness, as PW-1 to PW-3 have not supported the prosecution case. It is a settled principle of law that though the evidence of police officials cannot be discarded merely on the ground of their official status, in cases where independent witnesses are available but not examined or do not support the case, the Court must scrutinize such evidence with greater caution.

18. Further, certain inconsistencies and deficiencies are noticed in the prosecution case. As per PW-5, the mahazar was conducted at the police station, whereas the prosecution case suggests that the accused was apprehended at the spot. There is also no convincing evidence regarding the alleged intention of the accused to slaughter the cow, which is an essential ingredient to attract the offences under Sections 4 and 12 of the Ordinance.

19. Moreover, the non-seizure of any material object before the Court is a significant lapse. Though the prosecution claims that a cow was seized and sent to a goshala, the same has not been produced before the Court as a material object, nor is there any convincing evidence linking the said cow to the accused.

20. The evidence of PW-5 further reveals that he has not visited the place of occurrence during the course of investigation, which creates doubt regarding the fairness and completeness of the investigation. He has also admitted that the final report does not mention certain

procedural aspects such as issuance of notice to panch witnesses. These lapses create further doubt in the prosecution case.

21. It is well settled that in a criminal trial, the prosecution must prove its case beyond reasonable doubt, and any reasonable doubt must enure to the benefit of the accused. In the present case, the evidence of key witnesses being hostile, lack of independent corroboration, contradictions in the prosecution case, and procedural lapses in the investigation cumulatively create serious doubt about the prosecution story. Hence, this Court is of the considered opinion that the prosecution has failed to establish beyond reasonable doubt that the accused were transporting the cow with the intention of slaughter or that they have committed offences punishable under Sections 4 and 12 of the Karnataka Prevention of Slaughter and Preservation of Cattle Ordinance, 2020. Accordingly, Point No.1 and 2 are answered in the **Negative**.

22. **Point No.3:** In view of foregoing reasoning and conclusions arrived at by this court during the above discussions, proceed to pass the following,

-: O R D E R :-

The accused are found not guilty of the offences punishable under Section 4 and 12 of Karnataka Prevention of Slaughter and Preservation of Cattle Ordinance 2020.

Acting under Section 248(1) of the Code of Criminal Procedure, 1973, the accused are hereby acquitted of the said offences.

The bail bonds of accused persons and their sureties, executed in compliance with Section 437-A of the Code of Criminal Procedure, shall stand cancelled after a period of six months from the date of this judgment.

[Given under my hand and seal of this court on this 15th April, 2026 within the premises and during the working hours of this Court and is pronounced in an open court.]

**(YOGESHA K)
PRL. CIVIL JUDGE & J.M.F.C.,
CHANNAPATNA**

-: A N N E X U R E :-**List of Witnesses examined on behalf of the Prosecution:**

PW-1	:	Shri. Krishnegowda
PW-2	:	Shri. Nanjegowda
PW-3	:	Shri. Ramesh
PW-4	:	Shri. Shivaraju
PW-5	:	Shri. Prabhakara Reddy

List of Documents exhibited on behalf of the Prosecution:

Ex.P-1, 1(a) & (b)	:	Complaint and Signatures
Ex.P-2-3	:	Photographs
Ex.P.4, 4(a)	:	FIR and signature

List of Material Objects exhibited on behalf of the Prosecution:

Nil

List of Witnesses examined on behalf of the Accused:

Nil

List of Documents exhibited on behalf of the Accused:

Nil

List of Material Objects exhibited on behalf of the Accused:

Nil

**(YOGESHA K)
PRL. CIVIL JUDGE & J.M.F.C.,
CHANNAPATNA**