



2026:TSHC:15336
[3303]

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**THURSDAY, THE SIXTH DAY OF AUGUST
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 9679 OF 2026

BETWEEN:

Medisetty Suresh, S/o Narsimha Rao, A/a. 29 yrs., Caste. Kapu, Occ. Business,
R/o Malladi Village, Amaravathi Mandal, Guntur dist., Andhra Pradesh.

...Petitioner/Accused No.2

AND

1. The State of Telangana, Through PS Kodad Rural, Rep., by its Public Prosecutor High Court of Telangana, Hyderabad.
2. Dhyan Foundation Gowshala, Peddashapur, Golur Road, Near Shamshabad, rep. by its Volunteer Sri Nitesh Vijay Vargiya S/o Vijay Kumar, Age.46 years, Occ. Business, R/o H.No. 3-6-709, Himayat Nagar, Hyderabad-29.

(Respondent No. 2 is impleaded vide Court Order dated 6/8/26, in I.A.No. 1/26)

...Respondents

Petition under Section 528 of B.N.S.S. praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to set aside order in Cr1.M.P. No. 573 of 2026 in Cr. No. 113 of 2026, dated 19.06.2026 on the file of First Additional Judicial First Class Magistrate At Kodad and thereby allow the same.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri K. Rajashekar, Advocate for the Petitioner and Sri M. Vivekananda Reddy, learned Assistant Public Prosecutor on behalf of the Respondent No.1 and of Sri G.L. Narasimha Rao, Advocate for the Respondent No.2.

The Court made the following: ORDER



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IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HONOURABLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION No.9679 of 2026

Date: 06.08.2026

Between:

Medisetty Suresh

...Petitioner/accused No.2

AND

The State of Telangana and another

...Respondents

ORDER

This Criminal Petition has been filed aggrieved by the order dated 19.06.2026 passed by the I Additional Judicial Magistrate of First Class at Kodad (for short, the 'trial Court') in CrI.M.P.No.573 of 2026 in Crime No.113 of 2026, whereunder, the application filed by the petitioner, seeking permission to release the seized property, i.e., one female Jersey Cow and two male Oxen, was dismissed.

2. Heard Mr. K. Rajashekar, learned counsel for the petitioner, and Mr.M.Vivekananda Reddy, learned Assistant Public Prosecutor for respondent No.1, and Mr. G. L. Narsimha Rao,



learned counsel for respondent No.2, appearing through video conference.

3. Learned counsel for the petitioner submitted that the petitioner has purchased the subject property, i.e., one female Jersey Cow and two male Oxen, at Srikakulam District. When he was transporting the said property from Srikakulam to his relatives residence at Suryapet for agriculture and domestic purpose, Kodad Town Police have seized the vehicle as well as the cattle on the ground that the petitioner is transporting the cattle for slaughter purpose, though the petitioner is not transporting the cattle for the slaughter purpose or for illegal sale. The petitioner had approached the trial Court and filed CrI.M.P.No.573 of 2026 seeking release of the said cattle. The trial Court, without properly considering the contentions of the petitioner, has erroneously dismissed the application. However, he submitted that the seized cattle were handed over to respondent No.2. Unless this Court grants interim custody of the cattle seized in connection with Crime No.113 of 2026 in favour of the petitioner, he will be put to great hardship.

4. Mr. G. L. Narsimha Rao, learned counsel for respondent No.2, submitted that the cattle which were handed over by the



learned trial Court are in the custody of Goshala. The petitioner has to pay the requisite amount and also has to give an undertaking before the learned trial Court that he will not use the cattle for slaughter or illegal sale and shall permit the Goshala authority to visit the dairy farm of the petitioner's son whenever required. The petitioner has to pay the requisite expenses which were incurred by the Goshala authority.

5. By way of reply, learned counsel for the petitioner submitted that the petitioner is ready and willing to abide by all the conditions which are imposed by this Court.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that the petitioner was arrayed as accused No.2 in Crime No.113 of 2026. It is not in dispute that the petitioner filed an application vide CrI.M.P.No.573 of 2026 seeking interim custody of the seized cattle in Crime No.113 of 2026, before the learned trial Court. The said application was dismissed on 19.06.2026. It is also not in dispute that the seized cattle were handed over to respondent No.2 and the same are in their custody.



7. Taking into consideration the peculiar facts and circumstances of the case, especially the petitioner specifically pleaded in the petition and memorandum of grounds that the petitioner purchased the cattle for their relatives residence for agricultural and domestic purpose and he is not going to intend for slaughter or illegal sale. In view of the same, this Court is inclined to grant interim custody of the seized cattle, i.e one female Jersey Cow and two male Oxen, in favour of the petitioner, subject to the condition that the petitioner shall file a sworn affidavit before the learned trial Court that he will not use the subject cattle for slaughter or illegal sale and the petitioner shall permit the Investigating Officer or Goshala authority for verification of the seized cattle, whenever required, and the petitioner shall pay expenses to the Goshala authority whenever they visit. The petitioner shall pay the balance amount to the Goshala authority. The petitioner shall not sell the cattle to any third party without any prior permission from the learned trial Court till conclusion of the proceedings in Crime No.113 of 2026. The Investigating Officer is directed to provide police escort for transporting the cattle from respondent No.2-Goshala to the residence of petitioner's relatives



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at Suryapet, with the expenses of the petitioner. It is made clear that this order may not be a precedent in any other cases.

8. With the above directions, this criminal petition is disposed of.

Pending miscellaneous applications, if any, shall stand closed.

**SD/- T. SRINIVASA REDDY
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The First Additional Judicial First Class Magistrate At Kodad.
2. The Station House Officer, Kodad (R)-Police Station, Suryapet District.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to Sri K. Rajashekar, Advocate [OPUC]
5. One CC to Sri G.L. Narasimha Rao, Advocate [OPUC]

6. Two CD copies

GNK



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HIGH COURT

DATED: 06/08/2026



ORDER

CRLP.No.9679 of 2026

DISPOSING THE CRIMINAL PETITION

⑨
14/08/26
K.K