



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD
DATED THIS THE 25TH DAY OF MARCH, 2026
BEFORE
THE HON'BLE MR. JUSTICE HANCHATE SANJEEVKUMAR
WRIT PETITION NO.102576 OF 2026 (GM-RES)

BETWEEN:

1. SARAWANAN S/O. RANGANATHAN PAZANAWALAM,
AGE: 38 YEARS, OCC: DRIVER,
R/O. MUTTHUMARIAMMAN COLONY,
KOIL ST GINGEE, VILUPPURAM,
TAMILNADU-005757.
2. HAYAT BASHA
S/O. MOHAMMAD ZAKRIYASAHEB SHAIKH,
AGE: 52 YEARS, OCC: CLEANER,
R/O. SANGAM COLONY, HUBBALLI,
DHARWAD CITY, KARNATAKA-580024,
AT: PRESENT 304, KOLEKAR PLOT SADAR SOFA,
2ND CROSS, HUBLI, DHARWD, KARNATAKA-580024.
3. K. SUHAIL RAHMAN S/O. KALEEL RAZAMAN,
AGE: 38 YEARS,
OCC: TRANSPORT BUSINESS/OWNER,
R/O. NO.45, NAGAPPAN MAIN ROAD,
PENSION LINEMEDU, VTC: SALEM,
TAMILNADU-005757.
4. K. MUNIRA BEGAM,
AGE: 60 YERAS, FEMALE,
OCC: PROPERITOR OF M/S. PRAVEEN
BONE MILL, NO.45, NAGAPPAN MAIN ROAD,
LINEMEDU, TAMILNADU, SALEM-636006.

...PETITIONERS

(BY SRI M. L. VANTI, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
BY P.S.I,



APMC YARD POLICE STATION,
BELAGAVI, REPRESENTED BY
STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
DHARWAD-580001.

2. ABHISHEK S/O. ANIL KOLEKAR,
AGE: 22 YEARS, OCC: SHOPKEEPER,
R/O. SHAHUNAGAR, 2ND BUS STOP,
H.NO.49 NEAR PATIL COMPLEX,
BELAGAVI, KARNATAKA-590001.
3. THE COMMISSIONER OF POLICE,
BELAGAVI-590001.

...RESPONDENTS

(BY SRI ABHISHEK MALIPATIL, HCGP FOR R1 & R3)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, AND SECTION 528 OF BNSS, PRAYING TO ISSUE A WRIT IN THE NATURE OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION AND QUASH THE COMPLAINT AND FIR IN APMC YARD POLICE STATION CRIME NO.31/2026 FOR THE OFFENCES PUNISHABLE U/S.4 AND 12(1) OF THE KARNATAKA PREVENTION SLAUGHTER AND PRESERVATION OF CATTLE ACT, 2020 AND U/S.325 AND 3(5) OF BNS, 2023 AND U/S.63 OF FOOD SAFETY AND STANDARDS ACT, 2006 PRODUCED AND MARKED AS ANNEXURE B AND C PENDING ON THE FILE OF JMFC IV COURT, BELAGAVI, IN THE INTEREST OF JUSTICE AND ISSUE A WRIT IN MANDAMUS OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTIONS DIRECTING THE RESPONDENTS NO.1 TO 3 TO RELEASE TRUCK BEARING NO.TN-72/CB-8023 AND SEIZED BONE BELONGING TO THE PETITIONERS TO MEET ENDS OF JUSTICE AND ISSUE A WRIT IN MANDAMUS OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTIONS DIRECTING THE RESPONDENTS NO.3 TO PROVIDE POLICE PROTECTION TO THE TRADERS FROM EXPLOITATION BY ANTISOCIAL ELEMENTS IN CARRYING LAWFUL BUSINESS AND ALSO DIRECT TO REGISTER COMPLAINT AGAINST COMPLAINANT AND HIS CRIME SYNDICATE AND TAKE APPROPRIATE ACTION AGAINST THEM, FOR ABUSING THE PROCESS OF COURT, IN ACCORDANCE WITH LAW TO MEET ENDS OF JUSTICE AND ETC

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY ORDER WAS MADE THEREIN AS UNDER:



CORAM: THE HON'BLE MR. JUSTICE HANCHATE SANJEEVKUMAR

ORAL ORDER

The petitioners/accused have filed this writ petition under Articles 226 and 227 of the Constitution of India and Section 528 of Bharatiya Nagarika Suraksha Sanhita, (BNSS) 2023, praying for the following reliefs:

"PRAYER

WHEREFORE, it is most humbly prayed that this Hon'ble Court be pleased to.

- a. Issue a writ in the nature of Certiorari or any other appropriate writ, order or direction and quash the Complaint and FIR in APMC Yard Police Station Crime No.31/2026 for the offences punishable U/s. 4 & 12(1) of the Karnataka Prevention of Slaughter and Preservation of Cattle Act, 2020 and U/s 325 & 3(5) of BNS, 2023 and U/s 63 of Food Safety and Standards Act, 2006 Produced and Marked as **Annexure B and C** pending on the file of JMFC IV Court, Belagavi, in the interest of justice.*
- b. Issue a writ in Mandamus or any other appropriate writ, order or directions directing*



the Respondents No.1 & 3 to release Truck Bearing No.TN-72/CB-8023 and seized bone belonging to the petitioners to meet ends of Justice.

- c. Issue a writ in Mandamus or any other appropriate writ, order or directions directing the Respondents No.3 to provide police protection to the Traders from exploitation by antisocial elements in carrying lawful business and also direct to register complaint against complainant and his Crime Syndicate and take appropriate action against them, for abusing the process of court, in accordance with law to meet ends of justice.*
- d. Grant such other reliefs that this Hon'ble Court deems fit in the circumstances of the case, in the interest of justice."*

2. Heard the learned counsel appearing on behalf of the petitioners and the learned counsel appearing on behalf of the respondents.

3. Learned counsel appearing for the petitioners/accused submitted that the petitioners are businessmen dealing with the sale and purchase of bones of



from various states and while transporting the bones of cattle, the Police intercepted the truck on the basis of the complaint lodged by the complainant and accordingly, the crime was registered for the offences above stated.

4. Further submitted that the offences alleged in the complaint do not attract the provisions of the Prevention of Cruelty to Animals Act, 1960 and the Karnataka Prevention of Cow Slaughter and Cattle Preservation Act, 2020; therefore, the registration of complaint is abuse of process of the Court and the business of the petitioners is legal. Hence, prayed to quash the proceedings initiated against the petitioners.

5. On the other hand, learned counsel appearing on behalf of respondent No.2 and learned HCGP appearing on behalf of respondent Nos.1 and 3 submitted that the permission for transportation of raw bones of cattle is from Tamilnadu to Hyderbad, but the petitioners were transporting raw bones of cattle from Dharwad that is also



in large quantity and for such transportation of large quantity of raw skin, large quantity cattle must have been slaughtered; therefore, in this regard, the complaint is filed and investigation is going on. Hence, a *prima facie* case is made out. Thus, prays to dismiss the petition.

6. Though the petitioners/accused may be transporting raw bones of cattle being in the business of selling and purchasing raw bones of cattle, the journey of transportation commences from Dharwad. The transportation of raw bones of cattle is permitted from Tamilnadu to Hyderabad. The place-Dharwad, where the truck loaded with raw bones of cattle was intercepted, is not coming in the way of between Tamilnadu and Hyderabad.

7. Further, the learned counsel appearing on behalf of the petitioners/accused submitted that though the permission is for transportation from Tamilnadu to Hyderabad, the truck had come to Dharwad for loading raw



bones of cattle and then was in the process of transportation to Hyderabad.

8. There is distance of nearly more than 700 kilometers from Tamilnadu to Dharwad to load raw crested hides in the truck and were transporting to Hyderabad as Tamilnadu is in between Dharwad and Hyderabad. When this being the fact why truck come from Tamilnadu to Dharwad for loading raw crested hides and going to Hyderabad as it is not economical viable. Hence, thorough investigation is needed.

9. A large number of raw crested hides were loaded in the truck. Though the allegation is only regarding illegal transportation of raw crested hides, then investigation is needed as to how many cattle were slaughtered. This is the pertinent question to be considered during the course of investigation. Therefore, the complaint alone cannot be considered as it is only regarding transportation of raw crested hides, but when such huge quantity of raw crested



hides were in the process of transportation, then how many numbers of cattle were slaughtered is also to be investigated; therefore, on the very complaint there are many aspects to be investigated under the offences alleged in the complaint and FIR.

10. The complaint cannot always be considered as an encyclopedia to demonstrate every inch of the allegation. The complaint is only an instrument setting the criminal law into motion. When in the complaint, it is alleged that large quantity of raw crested hides were being transported and upon the complaint lodged by respondent No.2, the crime is registered and vehicle is seized and investigation is still under the process and the investigating officer will consider and conduct on the aspect that when such huge quantity was under transportation, then prior to that, how much quantity of cattle were slaughtered. In this regard also, the investigation is to be conducted. Therefore, prima facie case is made out for investigation and to proceed with the trial. Hence, at this stage, it is too premature to quash the



proceedings. Hence, the writ petition has become devoid of merits. Thus, the petition is liable to be dismissed.

11. Accordingly, the petition is ***dismissed***.

Sd/-
(HANCHATE SANJEEVKUMAR)
JUDGE

SRA /CT-AN
List No.: 2 SI No.: 34