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Supreme Court allows Tiruvallur shelter to keep rescued cattle

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CHENNAI: The Supreme Court has allowed an animal shelter in Tiruvallur district to continue to keep two cows and a bull, rescued from an illegal roadside slaughter shop in Periyapalayam in 2020, until the conclusion of the trial in a case challenging the Madras high court order to hand them over to the owner.

On July 5, 2020, during the Covid-19 lockdown, animal welfare activist Sai Vignesh rescued the cattle while on his rounds to attend to animals in need. “I learned that the cattle were aged under 10. I found carcasses of calves lying outside the shop by the road. These were violations under The Prevention of Cruelty to Animals Act (Slaughterhouse Rules),” said Vignesh. “The shop also did not have a Food Safety and Standards Authority of India (FSSAI) licence, or any authorisation issued by the municipal or other local authority.”

Based on information from Vignesh, the Periyapalayam police lodged an FIR and handed over the cattle to his shelter – the Almighty Animal Sanctuary in Tiruvallur – for care and treatment. However, in September that year, he was ordered by an Uthukottai magistrate to return the cattle to the accused following a Return of Property Petition filed by him. The same month, the magistrate’s order was stayed after Vignesh filed a quashing petition I the Madras high court, but on June 16, 2022, the high court passed an order directing the cattle to be returned to the accused.

After a long haul, the respite finally came for the animal welfare activist as well as the animals on January 16, when the Supreme Court set aside the direction of the Madras high court and passed an order directing that the three cattle remain with the Almighty Animal Sanctuary until the conclusion of the trial. The order came following a special leave petition filed by Vignesh through advocate Rangasaran Mohan before the apex court.

“A chargesheet has been filed under Section 429 of IPC, Section 4 and 8 (2) of the Tamil Nadu Animal Preservation Act, Section 11 of PCA Act and Section 63 of the FSSAI Act,” says Venkatesan K, inspector of Periyapalayam police station.

In a few landmark cases in the past, such as State of UP vs Mustakeem and Ors, the Supreme Court made it clear that once an animal was removed from a person’s care on grounds of cruelty, it would be sent to the nearest gaushala or pinjrapole, but not be returned to the accused until the case was resolved.