



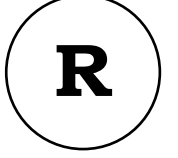
IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

CRIMINAL PETITION NO. 7003 OF 2026



BETWEEN:

PEOPLE FOR THE ETHICAL
TREATMENT OF ANIMALS, INDIA,
A COMPANY INCORPORATED UNDER
SECTION 25 OF THE COMPANIES ACT 1956,
HAVING ITS REGISTERED OFFICE AT
F 110, 1ST FLOOR, JAGDAMBA TOWER,
PLOT NO 13, COMMUNITY CENTRE,
PREET VIHAR, NEW DELHI 110092,
REP. BY ITS AUTHORISED REPRESENTATIVE
SINCHANA SUBRAMANYAN.

...PETITIONER

(BY SRI Y SANKEERTH VITTAL, ADVOCATE A/W

SMT. SOUMYA NAIR, ADVOCATE)

AND:

1. STATE OF KARNATAKA,
THROUGH THE PEENYA POLICE STATION,
REP. BY THE STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDING,
BENGALURU 560001.
2. RAMESH,
S/O ERAPPA,
AGED ABOUT 44 YEARS,





R/A NO. 16, THIPPENAHALLI MAIN ROAD,
WIPRO LAYOUT, DODDABIDARAKALLU,
NAGASANDRA POST,
BENGALURU-560073.

...RESPONDENTS

(BY SMT. WAHEEDA M.M, HCGP FOR R-1;

SRI ABHISHEK.R. HUDDAR, ADVOCATE FOR R-2)

THIS CRL.P IS FILED U/S 482 CR.PC (FILED U/S 528 BNSS) TO A. CALL FOR RECORDS OF CR.NO.89 OF 2026 PENDING BEFORE THE XXXI ADDITIONAL CHIEF JUDICIAL MAGISTRATE, BENGALURU; B. SET ASIDE THE ORDER DATED 25.04.2026 IN CR NO.89/2026 PASSED BY THE XXXI ADDL.CJM (ANNEXURE-A) AND ETC.

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

CORAM: **HON'BLE MR. JUSTICE M.NAGAPRASANNA**

ORAL ORDER

The petitioner, People for the Ethical Treatment of Animals ('PETA' for short), are at the doors of this Court calling in question an order dated 25.04.2026, passed by the XXXI Additional Chief Judicial Magistrate, Bengaluru, by which an application filed by respondent No.2 under Sections 497 and 503 of the BNSS, seeking an interim custody of the dogs, which were in the custody of the petitioner, in Crime No.89/2026,



registered for the offences under Sections 325 and 62 of the BNS and Section 11(1) of the Prevention of Cruelty to Animals Act, 1960 ('PCA Act' for short) comes to be allowed.

2. Facts in brief, germane, are as follows:

The petitioner – PETA is said to have received an information (oral) that the dogs that were in the possession of respondent No.2 totally 9 in number are being indiscriminately beaten, treated indiscriminately, causing heinous assault as also sexual abuse. On the said oral complaint, on 15.02.2026, the petitioner registers a complaint before the jurisdictional police against respondent No.2 for subjecting 9 dogs *i.e.*, 6 Golden Retriever dogs and 3 Shih Tzu dogs to repeated assault, sexual abuse, gross neglect and illegal breeding at his residence. Based upon the said complaint by PETA, a crime comes to be registered in Crime No.89/2026 for the afore-quoted offences punishable under Sections 325 and 62 of the BNS and Section 11(1) of the PCA Act. The investigation commences on 18.02.2026 and the Investigating Officer is said to have written to several animal organisations for taking care



of the dogs or requesting the custody and rehabilitation of the dogs rescued from the hands of respondent No.2. The issue is not with regard to the merit of the matter.

3. During the investigation, respondent No.2 files an application under Sections 497 and 503 of the BNSS seeking interim custody of the dogs taken away by the Investigating Officer and in the custody of the petitioner, pending disposal of the case. The concerned Court in terms of the impugned order dated 25.04.2026, directed the petitioner – PETA to release the dogs in favour of respondent No.2. It is this order that is called in question by the petitioner - PETA before this Court, in the subject petition.

4. Heard Sri Y. Sankeerth Vittal, learned counsel along with Smt. Soumya Nair and Sri Pradeep Nayak, learned counsel for the petitioner, Smt. Waheeda M.M., learned High Court Government Pleader for respondent No.1 and Sri Abhishek R. Huddar, learned counsel for respondent No.2.



SUBMISSIONS:

PETITIONER – PETA :

5. Learned counsel appearing for the petitioner would vehemently contend that it is the first of the case where the concerned Court, despite the grave allegations made against the said owner of the dogs of beating, assault and sexual abuse, has directed the release of the dogs in favour of the perpetrator. The learned counsel would submit that if the dogs are being ill-treated by the owner, it should be under the custody of the organizations, which take care and rehabilitate those dogs. They rehabilitate the rescued dogs from the hands of the accused in normal circumstance.

SECOND RESPONDENT - THE ACCUSED :

6. Learned counsel appearing for respondent No.2 would however seek to refute the submissions contending that respondent No.2 lives alone and therefore, he has reared 9 dogs, 6 Golden Retriever and 3 Shih Tzu. He submits that respondent No.2 is taking care of the dogs very well and there is no warrant of interference with the impugned order passed



by the concerned Court as the dogs are hail and healthy with him and all the other allegations are a figment of imagination of the petitioner – PETA, as there is no written complaint by any person to the petitioner - PETA. The learned counsel submits that the order would not warrant any interference at the hands of this Court.

THE STATE:

7. Learned High Court Government Pleader appearing for respondent No.1 would toe the lines of the learned counsel for petitioner in contending that the dogs must be in a place where they are rehabilitated appropriately and seeks to allow the application.

8. I have given my anxious consideration to the submissions made by the learned counsel for the respective parties and have perused the material on record.



CONSIDERATION:

9. In the light of the aforesaid submissions, the sustainability of the order of the concerned Court requires consideration.

10. To resolve the issue that falls for consideration, a brief traversal through the factual backdrop becomes necessary. Respondent No.2 claims ownership over nine dogs, comprising six Golden Retriever dogs and three Shih Tzu dogs. Grave allegations have surfaced that these animals were subjected to persistent cruelty, including brutal physical assault and even acts of sexual abuse. These disturbing allegations are stated to have emanated from oral information furnished by a neighbour of respondent No.2 to PETA India. Acting upon such information, one of the representatives of the petitioner lodged a complaint before the jurisdictional police, alleging shocking and blatant acts of cruelty perpetrated upon the dogs in the custody of respondent No.2. **The complaint, in essence, paints a deeply disturbing portrait of sustained abuse,**



neglect and unlawful breeding operations. The complaint reads as follows:

"To,

The SHO
Peenya Police Station

Subject: Complaint against brutal beating and illegal breeding of dogs in Bengaluru, Karnataka, for violation of animal protection laws

MOST URGENT

"I am writing on behalf of People for the Ethical Treatment of Animals India (PETA India), the country's best-known animal rights organisation, to bring to your attention information regarding a dog breeder and seller in Bengaluru, Karnataka.

We have received a complaint regarding a breeder who breeds and sells dogs. It has been reported that this breeder is breeding 09 dogs based on information received from a reporter, there are six Golden Retrievers and three Shihtzus at the location mentioned below who are reportedly being subjected to ongoing abuse and neglect. The dogs are allegedly beaten daily with sticks, pipes, and whips, sometimes with such force that the objects break. They are frequently heard crying in distress. We have also received a video clearly showing the two Golden Retrievers being beaten on 14 February 2026. The concerned citizen who filmed the incident confronted the individual on two occasions. The animals are being kept in severely inadequate and unhygienic conditions. Additionally, the man has been accused of sexually assaulting female dogs, as reported by a concerned citizen. These allegations indicate serious violations involving cruelty, physical abuse, neglect, and sexual exploitation of animals, necessitating urgent intervention.



The Google Maps location of the breeder's premises can be accessed here:

<https://maps.app.goo.gl/uW8vGdc9mJjozUTT6>

It has been alleged that this breeder is not registered with the Karnataka Animal Welfare Board (KAWB) as either a breeder or pet shop, rendering its operations illegal.

As you may know, facilities that engage in the boarding, breeding or selling of animals are required to be registered with the state animal welfare board, in this case the KAWB, as mandated under Rule 3 of the Prevention of Cruelty to Animals (Dog Breeding and Marketing) Rules, 2017, and Prevention of Cruelty to Animals (Pet Shop) Rules, 2018, framed under The Prevention of Cruelty to Animals (PCA) Act, 1960. Rule 2(1)(c) of Dog Breeding and Marketing Rules, 2017 defines "breeder" as "an individual or group of persons who own pet animals and dogs of specific breeds for breeding and sale of dogs and pups and includes boarding kennel operators, intermediate handlers and traders". Rule 2(1) (d) of the Dog Breeding and Marketing Rules, 2017 and Pet Shop Rules, 2018 defines "boarding kennel operator" as "an individual or group of persons that keep pet dogs and pups for temporary housing in a kennel or any other establishment". Rule 2(1)(k) of the Pet Shop Rules, 2018 defines a 'pet shop'.

This facility falls into the category of a dog breeding centre and a pet shop. Therefore, they ought to have been registered with the KAWB. Violation of Rules framed under the PCA Act, 1960, is an offence under Section 38(3) of the Act.

A letter dated 25 January 2020 from the Ministry of Environment, Forest and Climate Change, Government of India, states that as per Notifications dated 23 May 2017 and 6 September 2018, all individuals or institutions engaged in dog breeding, marketing, or operating pet shops must register with the Karnataka Animal Welfare Board under the Prevention of Cruelty to Animals (Dog Breeding and Marketing Rules, 2017, and Pet Shop Rules, 2018) before obtaining licenses from local



HC-KAR

authorities. They are required to submit Form I with the necessary documents and registration fee within 30 days of this notice, failing which action will be taken under the PCA Act and Rules. The letter dated 25 January 2020 is attached as Annexure II.

Additionally, I would like to draw your attention to an order dated 26 May 2020 (Annexure III) issued by the then Commissioner of the Animal Husbandry and Veterinary Services Department, Government of Karnataka. The order concerns the ban on operations of unregistered dog breeding centres and pet shops in the state. Addressed to all district collectors and chairs of the district SPCAS, it mandates that all unregistered pet shops and dog breeding establishments not registered with the KAWB be banned from operating under the Prevention of Cruelty to Animals (Dog Breeding and Marketing) Rules, 2017, and the Prevention of Cruelty to Animals (Pet Shop) Rules, 2018.

Section 3 of the PCA Act, 1960, makes it the duty of persons having charge of animals to ensure that animals under their ownership or supervision are not subjected to unnecessary pain or suffering. Furthermore, Section 11 of the Act defines the acts that are considered to constitute cruelty to animals. Section 11(1)(a) prohibits beating, kicking, torturing or treating any animal in such a manner so as to subject them to unnecessary pain and suffering. Sections 11(1)(e) and 11(1)(f) make it punishable to keep animals confined and tethered for unreasonably long hours Section 11(1)(I) makes mutilating any animal a punishable and cognisable offence. The dogs on the premises were found in a deeply concerning condition. They were confined to cages without regular opportunities for exercise or walks, left unsupervised overnight, and not provided with food at appropriate times. These circumstances raise serious welfare concerns and require immediate attention to ensure the animals' health and well-being, which constitute cruelty as defined under this Section.



Considering the circumstances, I urge you to treat this matter with extreme urgency and take immediate action against the illegal breeder by implementing the following measures:

1. Engage with the owner and management of the illegal breeding facility and pet shop to address these violations.
2. Close down the facility for its violations of the laws mentioned above and constitute a committee to inspect the facility thoroughly, including conducting a comprehensive health assessment of all animals housed there. This should include the preparation of a panchnama to document the breeds and total number of animals in their possession.
3. Considering the cruel conditions in which the dogs are being kept, issue a notice directing the immediate discontinuation of any sale of animals until the facility is registered with the KAWB. Furthermore, no certificate of registration or license should not be granted to the accused-whether individually or jointly-under the Prevention of Cruelty to Animals (Dog Breeding and Marketing) Rules, 2017, or the Prevention of Cruelty to Animals (Pet Shop) Rules, 2018, as mandated under Rule 4(7)(b) and Rule 4(9)(b) of the respective Rules.
4. Issue a notice under Section 168 of the Bharatiya Nagarik Suraksha Sanhita, 2023, restraining the breeder from acquiring any additional animals, given the absence of a certificate of registration from the KAWB and adequate space to house more animals.

The video evidence of showing the dog being assaulted has been submitted in a pendrive. This is a offence under Section 62 read with Section 325 of the Bharatiya Nyaya Sanhita (BNS), 2023 for attempting to maim the dog.

The killing of any animal is a grave and serious offence and Section 325 of the BNS 2023 which makes the act of killing or maiming of any animal punishable with imprisonment for a term which may extend to five years, or with fine or both.



Attempt to commit a cognizable offence is punishable under Section 62 of BNS.

Furthermore, Section 11(1) of the Prevention of Cruelty to Animals (PCA) Act, 1960 defines acts that will be considered to be cruel to animals and make the same punishable under the law. Section 11(1) (a) prohibits the beating, kicking, torturing or treating of any animal in a manner so as to subject to unnecessary pain and suffering.

Thank you in advance for your attention to this important matter. Should you have any questions, I can be contacted at 6362558008."

(Emphasis added)

The complaint (*supra*) discloses allegations of extraordinary cruelty: that the dogs were routinely beaten with sticks, pipes and whips, often with such savage force that the implements themselves broke; that the animals cried in agony; that they were confined in deplorable and unhygienic surroundings; and that the female dogs were allegedly subjected to sexual exploitation. Such allegations, if true, reveal conduct that is not merely unlawful but profoundly antithetical to every civilizational notion of compassion and humane coexistence.



11. The complaint further alleged that the breeding facility was operating in patent violation of statutory mandates under the Prevention of Cruelty to Animals Act, 1960 and the Rules framed thereunder, without registration before the Karnataka Animal Welfare Board. It therefore sought immediate intervention by the police to rescue the animals, halt further breeding, and ensure the institution of protective measures to safeguard their welfare.

12. During the course of investigation—and indeed even prior to its substantial commencement—the petitioner, PETA India, is stated to have taken custody of the rescued dogs from the hands of the Investigating Officer. What assumes considerable significance is that respondent No.2 himself executed formal deeds of relinquishment, voluntarily surrendering ownership and custody of all nine dogs in favour of the petitioner. **These relinquishment deeds are not mere formal papers; they contain admissions of striking gravity. Respondent No.2 expressly acknowledged that he had subjected the animals to cruelty by beating them**



with sticks and pipes to the point of causing severe injury and immense suffering. He further admitted his incapacity to care for the animals and unequivocally relinquished every future claim, title or ownership over them. The relinquishment deed executed for the release of three dogs, reads as follows:

**"ANIMAL RELINQUISHMENT LETTER
TO WHOMSOEVER IT MAY CONCERN**

1. I, Ramesh N, S/o Erappa, Aged about 43 years, resident of (A1)/No. 16, Thippenalli Main Road, Wipro Layout Doddabidarakallu Nagasandra Post, Bengaluru City Karnataka, the owner of the Dogs (2 male and 1 female Golden Retrievers), hereby declare that I voluntarily give up and relinquish the ownership and custody of 3 dogs in favour of People for the Ethical Treatment of Animals (PETA) India.
2. I further state that we are willingly Surrendering our animals to Manoj Prakash of PETA India due the cruelty inflicted by me on the dogs and my incapacity to look after them. I also admit that I have treated my dogs cruelly by beating them with sticks and pipes to a point that the pipe breaks which has inflicted severe harm and caused immense suffering to them. I state that the animals are injured, in bad shape and that as their guardian I have failed in ensuring their safety and protection. I am handing over 3 dogs to PETA India. I agree that I shall have no ownership or claim over the said 3 dogs once handed over in custody and favour of PETA India.
3. I undertake that PETA India would herein forward be considered as the owner of the above mentioned dogs. I also undertake and agree that the veterinary and overall care of the dogs will also be the responsibility of PETA India and I will not interfere in any decision taken by PETA India regarding the



housing, adoption and treatment/euthanasia of the dogs.

4. There is no monetary transaction involved in the said surrender of the dogs.

Place: Bangalore

Date: 25.02.2026.

Name and signature of witness 1:

Sd/-

Name and signature of witness 2:

Sd/-

Place: Bengaluru.

Date: 26-Feb-2026

AFFIDAVIT

ANIMAL RELINQUISHMENT LETTER TO WHOMSOEVER IT MAY CONCERN

1. I Ramesh N s/o Erappa , resident of (A1)/NO 16, Thippenalli Main Road, Wipro Layout Doddebidarakallu Nagasandra Post, Bengaluru City Karnataka , the owner of the dogs (Golden Retriever) hereby declare that I voluntarily give up and relinquish the ownership and custody of 3 dogs in favour of People for the Ethical Treatment of Animals (PETA) India.
2. I further state that we are willingly surrendering our animals to Manoj Prakash of PETA India due the cruelty inflicted by me on the dogs and my incapacity to look after them. I also admit that I have treated my dogs cruelly by beating them with sticks and pipes to a point that the pipe breaks which has inflicted severe harm and caused immense suffering to them. I state that the animals are injured, in bad shape and that as their guardian I have failed in ensuring their safety and protection. I am handing over 3 dogs to PETA India. I agree that I shall have no ownership or claim over the said 3



dogs once handed over in custody and favour of PETA India.

3. I undertake that PETA India would herein forward be considered as the owner of the above mentioned dogs. I also undertake and agree that the veterinary and overall care of the dogs will also be the responsibility of PETA India and I will not interfere in any decision taken by PETA India regarding the housing, adoption and treatment/euthanasia of the dogs.
4. There is no monetary transaction involved in the said surrender of the dogs.

Relinquishing owner's signature(s):

Sd/-

Signature of the representative of PETA India:

Sd/-"

12.1. The relinquishment deed executed for the release of six dogs, reads as follows:

**"ANIMAL RELINQUISHMENT LETTER
TO WHOMSOEVER IT MAY CONCERN**

1. I, Ramesh N, S/o Erappa, Aged about 43 years, resident of (A1)/No. 16, Thippenalli Main Road, Wipro Layout Doddabidarakallu Nagasandra Post, Bengaluru City Karnataka, the owner of the Dogs (3 Female Golden Retrievers, Two male and one female Shihtzu hereby declare that I voluntarily give up and relinquish the ownership and custody of 6 dogs in favour of People for the Ethical Treatment of Animals (PETA) India.
2. I further state that we are willingly Surrendering our animals to Manoj Prakash of PETA India due the cruelty inflicted by me on the dogs and my incapacity look after them. I also admit that I have treated my dogs cruelly by beating them with sticks



and pipes to a point that the pipe breaks which has inflicted severe harm and caused immense suffering to them. I state that the animals are injured, in bad shape and that as their guardian I have failed in ensuring their safety and protection. I am handing over 6 dogs to PETA India. I agree that I shall have no ownership or claim over the said 6 dogs once handed over in custody and favour of PETA India.

3. I undertake that PETA India would herein forward be considered as the owner of the above mentioned dogs. I also undertake and agree that the veterinary and overall care of the dogs will also be the responsibility of PETA India and I will not interfere in any decision taken by PETA India regarding the housing, adoption and treatment/euthanasia of the dogs.
4. There is no monetary transaction involved in the said surrender of the dogs.

Place: Bangalore

Date: 26.02.2026.

Name and signature of witness 1:

Sd/-

Name and signature of witness 2:

Sd/-

Place: Bengaluru.

Date: 26-Feb-2026

AFFIDAVIT

**ANIMAL RELINQUISHMENT LETTER
TO WHOMSOEVER IT MAY CONCERN**

1. I Ramesh N s/o Erappa, resident of (A1)/ NO 16, Thippenalli Main Road. Wipro Layout Doddabidarakallu Nagasandra Post, Bengaluru City Karnataka the owner of the dogs (3 Golden Retrievers, 3 Shitzu), hereby declare that I



voluntarily give up and refinguish the ownership and custody of 6 dogs in favour of People for the Ethical Treatment of Animals (PETA) India.

2. I further state that we are willingly surrendering our animals to Manoj Prakash of PETA India due the cruelty inflicted by me on the dogs and my incapacity to look after them. I also admit that I have treated my dogs cruelly by beating them with sticks and pipes to a point that the pipe breaks which has inflicted severe harm and caused immense suffering to them. I state that the animals are injured, in bad shape and that as their guardian I have failed in ensuring their safety and protection. I am handing over 6 dogs to PETA India. I agree that I shall have no ownership or claim over the said 6 dogs once handed over in custody and favour of PETA India.
3. I undertake that PETA India would herein forward be considered as the owner of the above mentioned dogs. I also undertake and agree that the veterinary and overall care of the dogs will also be the responsibility of PETA India and I will not interfere in any decision taken by PETA India regarding the housing, adoption and treatment/euthanasia of the dogs.
4. There is no monetary transaction involved in the said surrender of the dogs.

Relinquishing owner's signature(s):

Sd/-

Signature of the representative of PETA India:

Sd/-"

The language employed in the relinquishment deeds is stark and self-incriminatory. Respondent No.2 not only admitted to cruelty, but also declared that the animals were



injured, in poor condition, and that he had failed in his duty as their guardian to ensure their safety, care and protection. By these deeds, he transferred complete custodial and proprietary interest in the animals to the petitioner, vesting in it full authority over their treatment, rehabilitation, adoption, housing and welfare.

13. Despite such relinquishment, respondent No.2 thereafter approached the concerned Court by filing an application under Sections 497 and 503 of the BNSS, seeking interim custody of the very dogs that had been rescued and entrusted to the petitioner. Astonishingly, the concerned Court, while considering the said application, directed the petitioner to hand over all nine dogs—six Golden Retriever dogs and three Shih Tzu dogs—to respondent No.2 pending disposal of the proceedings. The impugned order reads as follows:

**"ORDERS ON THE APPLICATION UNDER SECTION
497 & 503 OF BNSS**

This is an application filed by the petitioner under section 497 & 503 of BNSS seeking the interim custody of dogs described in the table below.

Perused the application, report of I.O. and objections of prosecution.



The petitioner is ready to abide by the conditions to be imposed by this court. The following are particulars of petitioner, property claimed & etc...

Petitioner/ Accused	Ramesh
Crime Number	89/2026 of Peenya Police Station
P.F. Number	44(ಎ)/2026, 50(ಎ)/2026
Details of property claimed	6 Golden Retriever Dogs and 3 Shih Tzu Dogs
Complainant	Swathi Bindu.R.V.
Offence	Section 325, 62 of BNS and Section 11(1) of Prevention of Cruelty to Animals Act
Report of IO	Filed dated 06-04-2026
Remarks of IO	Objected stating that during investigation, it has come out that the petitioner/accused has assaulted the dogs and if released there are chances of repeating the same and also there are chances of selling the dogs
Rival claim	No

In support of his arguments, the learned counsel for petitioner has furnished the decision of Hon'ble Apex Court in (1998) 6.SCC 520: 1998 SCC Online SC 557 – Manager Pinjrapole Deudar & Anr. V/s Chakram Moraii Nat & Ors wherein it has been observed that:

9. In view of the above discussion and provisions of Section 451 Cr.P.C., it appears to us that unless the owner of the animal in respect of which he is facing prosecution, is deprived of the custody (which can be done only on his conviction under the Act for the second time), no bar can be inferred against him to claim interim custody of the animal.

Further, the learned counsel for petitioner has furnished the copy of decision of Hon'ble High Court of Karnataka in Criminal Petition No. 100024/2024 in the case of Vittal Sathyppa Pujeri & Anr. V/s The State of Karnataka, wherein



the observation made by the Hon'ble Apex Court supra has been discussed.

Herein the petitioner being accused is claiming the above said dogs. First of all it is to be noted here that there is no rival claim. The dogs claimed appears to have been seized from the possession of petitioner/accused and reported to court under above said PFs. Hence considering the facts and circumstances of case, so also keeping in mind the observation laid down by the Hon'ble Apex Court supra, the claim of petitioner in respect of release of dogs may be considered. The apprehension raised by prosecution may be safeguarded by imposing suitable conditions. In the result. I proceed to pass the following:

ORDER

The 3 Golden Retriever Dogs and also 3 Golden Retriever Dogs & 3 Shih Tzu Dogs seized by Peenya Police and reported to court under PF No.44 (ಎ)/2026, 50(ಎ) / 2026 are hereby ordered to be released to the interim custody of petitioner, subject to following conditions.

CONDITIONS

- 1) The petitioner shall execute indemnity bond for a sum of Rs.5,00,000/-, with one surety for like sum.
- 2) The Petitioner shall not alienate or transfer the dogs, till disposal of the case.
- 3) The Petitioner shall not change the nature, identification of dogs, till disposal of the case.
- 4) The Petitioner shall produce the dogs as and when called by the Police & Court during trial.
- 5) The petitioner shall not subject the dogs to cruelty in any manner.
- 6) The petitioner shall see that the dogs are kept in the place where there is C.C. T.V. coverage, and shall furnish the C.C. T.V. footage of dogs, once in 15 days, to the Court without fail, till filing of final report.



7) The I.O. shall arrange for taking the photographs of dogs in different angles at the cost of petitioner, under due panchanama, before releasing the same and produce photographs, CD/Negatives, before the Court, after attesting the photographs by two witnesses, along with Certificate of Photographer as required under Section 63 of the BSA.

Office is directed to issue release order of dogs in favour of petitioner after compliance of condition No.1 & 7 stated above."

(Emphasis added)

A mere perusal of the afore-quoted order sends a palpable shock to the conscience of this Court. The reasoning of the learned Magistrate appears to have proceeded in complete disregard of a foundational principle of civilized jurisprudence—that ethical treatment of animals.

14. The sequence of events presents a troubling incongruity: a person who, by his own written admission, acknowledged inflicting cruelty and voluntarily surrendered all rights over the animals, was nevertheless restored interim custody of those very animals by judicial order. It is this startling and deeply disquieting circumstance that has propelled the petitioner to the doors of this Court.



15. In the teeth of such compelling material, this Court finds itself unable to fathom how the concerned Court could have directed the return of the dogs to the very person alleged to have perpetrated the cruelty. The investigation is still in progress against respondent No.2, who faces not merely allegations of physical assault upon the animals but also accusations of sexual abuse—allegations which, if true, reveal a degree of depravity that would shock even the most hardened conscience.

16. In such circumstances, an order restoring interim custody of the rescued dogs to respondent No.2 is, to say the least, wholly preposterous. It suffers not merely from legal infirmity but from a grave failure of judicial sensitivity. Such an order stands in direct conflict with the very object of the law meant to shield vulnerable beings from cruelty. Therefore, the order of the concerned Court directing the return of the dogs to respondent No.2 cannot be permitted to survive even for a



moment in the eye of law. It deserves, and must meet, complete obliteration.

17. Before I say omega to this order, it would not be inept to refer that animals though bereft of human speech are not bereft of sentience, suffering or the capacity to experience pain. The law in its civilizational wisdom has long ceased to view animals as mere chattels existing solely for human utility; they are not. The law now recognizes the animals also to be as living beings entitled to dignity, compassion and protection from cruelty. The measure of a civilized society is often reflected not merely as to how it treats its fellow humans, but as to how it extends mercy and justice to the voiceless creatures that inhabit in its shared world. Therefore, every act of cruelty against an animal is not merely an injury to a sentient being, but a blemish upon the collective human conscience. Protection of animal life therefore, is not an act of charity, it is an affirmation of constitutional morality and recognition that the arc of



**justice must extend even to those who cannot knock at
the doors of this Court by themselves.**

18. For the aforesaid reasons, the following:

ORDER:

- a. The criminal petition is allowed.
- b. The impugned order dated 25.04.2026, passed by the XXXI Additional Chief Judicial Magistrate, Bengaluru, is quashed and stands consigned to obliteration.
- c. The 9 rescued dogs (6 Golden Retriever dogs and 3 Shih Tzu dogs), presently under the care, custody and protection of petitioner - PETA, shall continue to remain wherever they are, under its guardianship. PETA - petitioner shall ensure their continued rehabilitation, medical care and welfare, subject to the ultimate result of the investigation.

Ordered accordingly.

**Sd/-
(M.NAGAPRASANNA)
JUDGE**

NVJ
List No.: 2 Sl No.: 12