



CRL OP(MD). No.14180 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 25/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD). No.14180 of 2023

Selvaraj

... Petitioner / Accused Rank not known

Vs

The Forest Ranger,
Aranthangi Forest Range,
Aranthangi,
Pudukottai District.
(W.L.O.R.No.03/2023)

... Respondent/Complainant

For Petitioner : M/s.T.Lenin Kumar
Advocate.

For Respondent : Mr.B.Nambiselvan
Government Advocate (Crl.side)

PETITIONS FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Bail in W.L.O.R.No.03/2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/ Accused apprehends arrest at the hands of the respondent police for the offences under Sections 9, 39, 2(35), 2(16)a & c and 51 of the Wild Life (Protection) Amendment Act, 1972, in W.L.O.R.No.03/2023, on the file of the

<https://www.mhc.tn.gov.in/judis>



CRL OP(MD). No.14180 of 2023

respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that on 29.07.2023, five peacocks were found dead in a de-composed stage in the petitioner's coconut grove. It is further alleged that poisoned paddy grains were found scattered around the dead peacocks. Hence the present case has been filed against the petitioner.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent, he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case.

4. Heard the learned Government Advocate (Crl.side) and the learned counsel for the petitioner.

5. A report has been called for from the forensic lab. A report has been received and it is stated in the report that the peacocks were died not due to the poison.

6. Considering the facts and circumstances of this case and in view of the developments, this Court is inclined to grant relief to the petitioner.



CRL OP(MD). No.14180 of 2023

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7. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Aranthangi, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m., until further orders. The petitioner shall comply with the condition stipulated under Section 438 of Cr.P.C., scrupulously.

8. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail will stand dismissed.

sd/-
25/09/2023

/ TRUE COPY /

/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

pnn



CRL OP(MD). No.14180 of 2023

To
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1.THE JUDICIAL MAGISTRATE, ARANTHANGI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, PUDUKOTTAI.

3.THE FOREST RANGER,
ARANTHANGI FOREST RANGE,
ARANTHANGI, PUDUKOTTAI DISTRICT.

4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-14181[I] dated 26/09/2023)

ORDER
IN
CRL OP(MD) No.14180 of 2023
Date :25/09/2023

RK/MGA (06/10/2023) 4P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023