



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

Monday, the Thirtieth day of November Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.15128 of 2015

SIVAKUMAR

... PETITIONER/ACCUSED
RANK NOT KNOWN

Vs

THE STATE REP. BY
THE FOREST RANGE OFFICER,
ODDANCHATRAM RANGE, ODDANCHATIRAM,
DINDIGUL DISTRICT.
(W.L.OR.NO.02/15)

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S R.ANAND ADVOCATE

FOR RESPONDENT : MR.P.KANNAIDEVAN, GOVERNMENT ADVOCATE(CRL.SIDE)

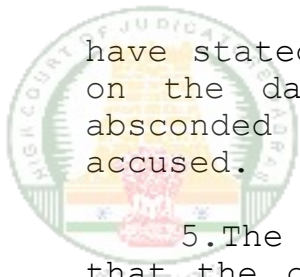
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.7 , in W.L.O.R.No.2 of 2015 on the file of the respondent, apprehends arrest at the hands of the respondent for the alleged offences punishable under Sections 21(d), (h) and 21(2) of Tamil Nadu Forest Act, 1882 and Sections 9, 39, 49, 50 and 51(1) of the Wild Life (Protection) Act 1972 and hence, seeks anticipatory bail.

2. The case of the prosecution is that on 24.07.2015 at about 04.00a.m. during the routine patrol, a team led by the respondent - Ranger found some strangers in the reserve forest area in Virupatchi Forest Range near Oddanchathiram, Dindigul District and they were found in possession of meat of Sambar deer and hence a case was registered for the offences under Sections 21(d), (h) and 21(2) of Tamil Nadu Forest Act, 1882 and Sections 9, 39, 49, 50 and 51(1) of the Wild Life (Protection) Act 1972.

3. The case of the petitioner is that the petitioner is working as Special Sub-Inspector of Police attached to C.B.C.I.D. Dindigul. He was entrusted with the investigation on the complaint given by the defacto complainant viz., Shaul Meeran that his son viz., Meeran Maitheen is missing. The petitioner visited Virupatchi Range hill area and interrogated four various Range Department Officials. Due to this enmity, his name has been falsely implicated. The petitioner is innocent and he has not committed any offence.



have stated that the petitioner is also involved in the offence and on the date of occurrence, on seeing the Forest Officials, he absconded from place of occurrence and the petitioner is the main accused.

5.The learned Counsel appearing for the petitioner submitted that the co-accused were already arrested and released on bail by the District Court, Dindigul on 31.07.2015.

6.Considering the facts and circumstances of the case and also considering the fact that the co-accused were already arrested and released on bail, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Oddanchathiram, and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.00a.m.. for a period of two weeks and thereafter as and when required for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

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

sd/-
30/11/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1. THE JUDICIAL MAGISTRATE ,
ODDANCHATHIRAM, DINDIGUL DISTRICT.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
3. THE FOREST RANGE OFFICER,
ODDANCHATHIRAM RANGE,
ODDANCHATHIRAM, DINDIGUL DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S R.ANAND Advocate SR.No. 68291