



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

Friday, the Fourteenth day of August Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.15601 of 2015

K. ALAMEEN

... PETITIONER/SOLE ACCUSED

Vs

THE STATE BY THE FOREST RANGER,
GULF OF MANNAR MARINE NATIONAL PARK,
THOOTHUKUDI

(O.R.NO. 5 OF 2015)

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S N.SUBASH BABU ADVOCATE

FOR RESPONDENT : MRS.S.PRABHA GOVERNMENT ADVOCATE (CRL.SIDE)

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

ORDER : The Court Made the following order :-

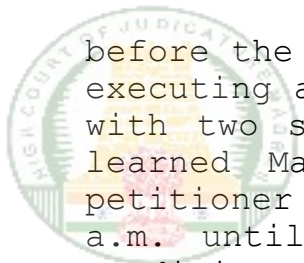
The petitioner, who is the sole accused, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 9, 39(1)(a)(b)(d), 39(3)(a)(b)(c), 40(2), 50 and 51(1) of the Wild Life Protection Act, 1972 in O.R.No.5 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2. According to the prosecution, they found 2 gunny bags of sea-leech in the hut put up near the house of the accused.

3. The learned counsel for the petitioner submitted that even according to the prosecution, the sea-leech was not seized in the house of the accused nor from his possession and he is nothing to do with the place where the sea-leech was recovered. The learned counsel for the petitioner further submitted that the petitioner is innocent and he has been falsely implicated in this case.

4. The learned Government Advocate (Crl.side) submitted that the petitioner is having two previous cases, one is in the year 2002 and another one is in the year 2015.

5. Considering the facts and circumstances of the case, 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 his arrest or on his appearance



before the learned Judicial Magistrate No.II, Thoothukudi 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 10.00 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

WEB COPY

6. 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/-
14/08/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.II, THOOTHUKUDI
 2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN DISTRICT.
 3. STATE BY THE FOREST RANGER
GULF OF MANNAR MARINE NATIONAL PARK,
THOOTHUKUDI
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S N.SUBASH BABU Advocate SR.No. 47038

ORDER
IN
CRL OP(MD) No.15601 of 2015
Date :14/08/2015

2P/6C
TE/PRV/LIB 18/08/2015