



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Friday, the Fifth day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.7720 of 2015

R.LAKSHMI AMMAL

..PETITIONER/ACCUSED
(RANK NOT KNOWN)

Vs.

STATE REP.BY THE FOREST RANGER
MAYILADUMPARAI SECTION, KANDAMANUR FOREST
ZONE, THENI DT.
ST.OR.NO.2/2015

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.T.K.GOPALAN Advocate

For Respondent : Mr.K.V.RAJARAJAN, 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 the accused, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 39(i)(A) of Wild Life Protection Act 1972 and under Section 13(19) & 13(22) of Tamil Nadu Captive Elephant (Management and Maintenance) Rules 2011 and under Rule 3(1) of Wildlife (Transist) Rules 1991 and under Section 51 of T.N.Wildlife Protection Act 1882, in Crime No.2 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that on 05.04.2015 at 03.00 p.m., the accused have taken an elephant in a lorry bearing Registration No.TN 59 R 8559 without permission and drove the vehicle in a negligence manner, the lorry met with an accident and the elephant died on the spot.

3.The learned counsel for the petitioner submitted that the petitioner is a senior citizen aged about 75 years and the petitioner is a lady. He further submitted that the petitioner is an innocent and A1 and A2 who had actually taken the elephant in a lorry, were arrested and enlarged on bail.

4. It is submitted by the learned Government Advocate (Crl.side) opposed this petition and stating that the accused drove the vehicle in a rash and negligence manner while taking the elephant for a temple festival.

5. Considering the submissions made by the learned Government Advocate (Crl.side) and also considering the fact, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Andipatty and on 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 as and when required for interrogation. The petitioner shall comply with the conditions imposed by the court under Section 438 Cr.P.C. scrupulously.



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/-

05/06/2015

/ TRUE COPY /

WEB COPY

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, ANDIPATTY, THENI DISTRICT.

2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE, THENI.

3 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.

4 THE FOREST RANGER, MAYILADUMPARAI SECTION, KANDAMANUR FOREST ZONE,
THENI DT.

+1. CC to M/S.T.K.GOPALAN Advocate SR.No.28195

ORDER IN

CRL OP(MD) No.7720 of 2015

Date :05/06/2015

PBK/AMF 09/06/2015 ::2P-6C::