

B.GOKULDAS, J.

The petitioners/A2 to A7, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 21[d][h] and 21[1] of Tamil Nadu Forest Act in 1882 V Act and Sections 2[16], 2[36], 9, 39[1][b], 39[1][d], 50 and 51 of Wild Life Protection Act, 1972 and Sections 7 and 25 of Arms Act, 1959 in W.L.O.R.No. 1 of 2016 on the file of the respondent, seek anticipatory bail.

2. The learned counsel for the petitioners submitted that the petitioners are residents of Salem District, who are innocent coolie workers, have been falsely implicated in a cooked up case.

3. The learned Government Advocate [Crl. Side] represented that the petitioners trespassed the forest and hunted the deer and rabbit. On the basis of the confession statement by A1, the materials were seized from the petitioners/A2 to A7 . He also submitted that A3 and A5 have bad antecedents.

4. Heard the learned counsel on either side.

5. Considering the submissions made on either side and the gravity of offence, this petition is dismissed insofar as the petitioners 2 and 4 are concerned and the petitioners 1, 3, 5 and 6 are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen [15] days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Bhavanai, on condition that the

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petitioners 1, 3, 5 and 6 shall execute a bond each for a sum of Rs.10,000/- [Rupees Ten Thousand only] with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners 1, 3, 5 and 6 shall report before the respondent police daily at 10.30 a.m. till further orders;

[b] the petitioners 1, 3, 5 and 6 shall not tamper with evidence or witness either during investigation or trial;

[c] the petitioners 1, 3, 5 and 6 shall not abscond either during investigation or trial;

[d] on breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners 1, 3, 5 and 6 in accordance with law, as if the conditions have been imposed and the petitioners 1, 3, 5 and 6 are released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji Vs. State of Kerala [(2005)AIR SCW 5560]**.

25.05.2016

mps/gya

Crl.O.P.No.10797 of 2016