

Crl.O.P.No.5608 of 2016

K.KALYANASUNDARAM, J.

The petitioner, who is arrayed as A2 out of 14 accused, apprehends arrest at the hands of the respondent police for alleged offence Schedule 1 Part 1, 12(a) protection of wildlife Act 1972 and under Section 2 r/w. (1)(2) of 16 and Section 90, 51 of Protection of Wildlife Act 1972 and V Act under Section 21 (d,h) of Tamil Nadu Forest Act 1882 and under Section 25(1B) (a) Arms and Ammunition Act 1959 on the file of the respondent police in WLOP No.1 of 2014 and hence, seeks anticipatory bail.

2.The case of the prosecution is that on 21.01.2014, at about 7.30 a.m., when the respondent received information that an Elephant was killed by using country made gun to commit theft of tusk from the Elephant.

3.The learned counsel appearing for the petitioner would submit that the name of the petitioner was not mentioned in the FIR and he has been falsely implicated in this case based on the confession of the co-accused. He further submitted that the occurrence took place only in the year 2014 and now, the respondents are attempting to arrest the petitioner.

4.Per contra, learned Government Advocate [Criminal Side] vehemently opposed the anticipatory bail petition stating that the accused has committed heinous offence and therefore, he is not entitled for anticipatory bail.

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5.Considering the allegations made against the petitioner, this Court is of the opinion that the petitioner is not entitled for anticipatory bail. Hence, this Criminal Original Petition is dismissed.

16.03.2016

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