

Crl.O.P.No.6319 of 2016**K.KALYANASUNDARAM, J.**

The petitioners, who are arrayed as A-2 to A-4, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 2, 9, 51 and 52 of Wildlife Protection Act, 1972, in O.R.No.1 of 2016, on the file of the respondent police and hence, seek anticipatory bail.

2. According to the defacto complainant, on 29.02.2016, a wild male elephant was found died due to electrocution in the agricultural field of one Micheal @ Mahadevan, who arrayed as A5. It is further submitted that the 5th accused deputed the other accused to form a electric fence in order to protect the crops from wild animals.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons; they are law abiding citizens and they have been falsely implicated in this case. He further submitted that the first accused was arrested and released on bail by the learned Judicial Magistrate, Sathiyamangalam and it is further submitted that the second petitioner is the son of the 5th accused and he is pursuing his studies.

4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that the petitioners are relatives of the 5th accused and the first petitioner is having one previous case of similar in nature.

K.KALYANASUNDARAM, J.

gv/sms

5.Considering the above facts and circumstances of the case and considering the nature of the allegation made against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Sathiyamangalam on their 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 petitioners shall appear before the respondent police daily 10.00am until further orders and thereafter, as and when required for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioners 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.

31.03.2016

gv/sms

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