

Crl.O.P.No.7911 of 2016**K.KALYANASUNDARAM,J.**

The petitioner, who is arrayed as A4, apprehends arrest at the hands of the respondent police, in pursuance of the Non-Bailable Warrant issued on 18.02.2015 by the learned District Munsif cum Judicial Magistrate, Pallipattu, in connection with a case in C.C.No.22 of 2014 for the alleged offences punishable under sections 39(1)(a), 1(d) and 250 of Forest Act, in O.R.No.29 of 2009, on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner cut the trees belonging to the Government.

3. The learned counsel appearing for the petitioner would submit that initially, the case was pending before the learned Judicial Magistrate, Thiruttani, in C.C.No.333 of 2009. Since this petitioner was not able to attend the court on 02.07.2010, non bailable warrant was issued. Thereafter, the same was transferred to the District Munsif cum Judicial Magistrate, Pallipattu in C.C.No.22 of 2014 and subsequently, a non-bailable warrant was issued by the said court for non appearance of the petitioner. He further submitted that the petitioner is an innocent person and he has been falsely implicated in this case. It is further submitted that the petitioner, to prove his bonafide, has agreed to donate a sum of Rs.10,000/- (Rupees Ten Thousand only).

4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that the case is of the year 2009 and the charge sheet has also been filed in the year 2014.

5.Considering the above facts and circumstances of the case, 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 District Munsif cum Judicial Magistrate, Pallipattu, 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 pay a sum of Rs.10,000/- (Rupees Ten Thousand Only) by way of Demand Draft/Cheque drawn in favour of "**Shiri Saradha Sakthi Peetam**" (No.7/4, Velu Street, West Mambalam, Chennai - 600 033, Ph.044 2371 4942) towards donation within a period of two weeks from the date on which, the copy of the order is made ready and the petitioner shall appear before the trial court in connection with a case in C.C.No.22 of 2014 for all future hearings without fail, except on those days his absence is condoned by filing a petition under Section 317 Cr.P.C. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7.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.

11.04.2016

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Note: Issue order copy on 11.04.2016

K.KALYANASUNDARAM,J

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