



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Thirtieth day of June Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.10774 of 2016

SEKAR

... PETITIONER / ACCUSED No.2

Vs

The State Rep.by
THE FOREST RANGE OFFICER
THIRUKKARANKUDI,
TIRUNELVELI DISTRICT,
(W.L.O.R NO. 2 OF 2016).

... RESPONDENT / COMPLAINANT

For Petitioner : M/S S.PALANIVELAYUTHAM Advocate

For Respondent : Mr.P.Kannithevan Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for an alleged offence punishable under Sections 9, 39(1)(a), 50 and 51 of the Wildlife Protection Act, in WLOR.No.2 of 2016, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused eating some meat and on examining the meat they came to know that they were eating iguana (Udumpu) and the same comes under Schedule No.1 and Part No.1 of the Wild Life Protection Act. On complaint, a case has been registered against the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case.

4. Heard the learned Government Advocate (Crl. Side).

5. Considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Nangueri, Thirunelveli District and on condition that the petitioner shall execute 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 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 petitioner shall report before the respondent police daily at 10.00 am until further orders.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioners 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].

sd/-

30/06/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE, NANGUNERI

2 -do-thro THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT

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

4 THE FOREST RANGE OFFICER
THIRUKKARANKUDI,
TIRUNELVELI DISTRICT

+1. CC to M/S S.PALANIVELAYUTHAM Advocate SR.No.34270

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ORDER
IN
CRL OP(MD) No.10774 of 2016
Date :30/06/2016