



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

Friday, the Nineteenth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.15225 of 2016

CHINNUKALAI

... PETITIONER / ACCUSED No.1

Vs

The State rep.by
THE FOREST OFFICER
FOREST RANGE OFFICE,
VARUSAINADU,
THENI DISTRICT.
[STOR NO. 2/2016]

... RESPONDENT) / COMPLAINANT

For Petitioner : B.JEYAKUMAR 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 :-

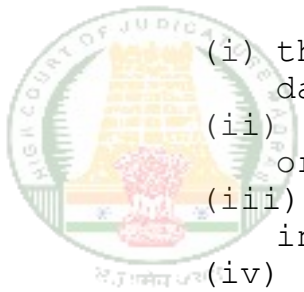
The petitioner, who is arrayed as Accused No.1, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 35, 35(B), 36 of Tamil Nadu Forest Act, 1991 and (Schedule Timber) Amended Forest Act, 1882 and 1991, in STOR No.2 of 2016, on the file of the respondent and hence, seeks anticipatory bail.

2.The case of the prosecution is that at the instigation of the petitioner, other accused persons transported four pieces of teak wood in a car without any valid license or permission. On complaint, a case has been registered for the above said offences.

3.The case of the petitioner is that he is an innocent and he has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Criminal side) submitted that the the property was already recovered and the petitioner is having one another case.

5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. 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, Andipatti, Theni District, 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 or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:



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- (i) the petitioner shall report before the respondent daily at 10.00 a.m. until further orders.
- (ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioner shall not abscond either during investigation or trial.
- (iv) 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 petitioner 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]**.

6.The respondent is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the conditions or not.

sd/-

19/08/2016

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

TO

- 1 THE JUDICIAL MAGISTRATE
ANDIPATTI, THENI DISTRICT
- 2 -do-thro THE CHIEF JUDICIAL MAGISTRATE
THENI DISTRICT
- 3 THE FOREST OFFICER
FOREST RANGE OFFICE,
VARUSAINADU,
THENI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to B.JEYAKUMAR Advocate SR.No.46031

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ORDER
IN
CRL OP(MD) No.15225 of 2016
Date :19/08/2016