



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

Wednesday, the Thirteenth day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.6550 of 2016

J.BABU JOSE

... PETITIONER / A-6

Vs

THE FOREST RANGER, CHINNAMANOOR RANGE,
MEGAMALAI WILD LIFE
CIRCLE, THENI DISTRICT
CRIME NO.1 OF 2015

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S P.MAHENDRAN 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 :-

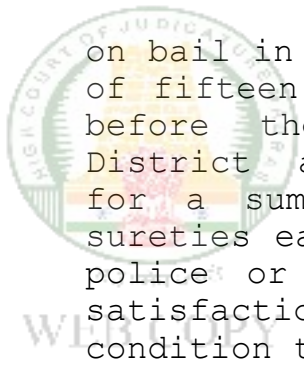
The petitioner, who apprehends arrest at the hands of the respondent police for an alleged offence punishable under Sections 9 (schedule 1), 49 (B), 12(B) under Schedule I part (i) and 51(i) of Wild Life Protection Act, 1972 in Crime No.1 of 2015, seeks anticipatory bail.

2. The case of the prosecution is that the accused persons have involved in animal hunting in Megamalai Wild Life Forest and in such course they have shot dead an elephant and took away its tusks for the purposes of selling the same and enriching themselves. Further alleged that the accused persons sold the same through the petitioner herein. 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, only based on confession of other accused. He further submitted that there is no specific overtact attributed against the petitioner and the co-accused have already been arrested and released on bail by the learned Judicial Magistrate, Uthamapalayam.

4. The learned Government Advocate (Crl. Side) submitted that the co-accused have already been arrested and released on bail and the investigation of the case is pending.

5. Considering the facts and circumstances of the case and also
<https://hcservices.ebartrix.com/hcservices/> on the fact the co-accused have already been arrested and enlarged on bail, 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, Uthamapalayam, Theni 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/-
13/07/2016

/ TRUE COPY /

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

TRP
TO

1 THE JUDICIAL MAGISTRATE, UTHAMAPALAYAM, THENI DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT

3 THE FOREST RANGER, CHINNAMANOOR RANGE
MEGAMALAI WILD LIFE, CIRCLE, THENI DISTRICT

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S P.MAHENDRAN Advocate SR.No.36266

GJM.SKS/RR/SAR-III-18.7.16-2P-6C

ORDER
IN
CRL OP(MD) No.6550 of 2016
Date :13/07/2016