

THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.9482 OF 2017

ORDER:

Heard learned counsel for the petitioners/A17 and A18 of the Forest Offence Crime No.31 of 2017-2018 of Chalama Range, Nandyal Division, Kurnool District, outcome of the report of the Forest Range Officer, where the crime registered against several accused for the offences punishable under Sections 2(16), 9, 27, 31 r/w 51 of Wild Life Protection Act, 1972.

2. Section 51 of the Wild Life Protection Act is the section which speaks the punishment or penalty for various violations by several sections of the enactment right from Section 2 definitions part and the contentions are that A17 is allegedly purchased the Sambar (big deer) of a particular specie, that was illegally hunted and killed by other accused and so far as A18 is concerned, he is among other persons participated in the illegal hunting.

3. Having regard to the above, even it is pursuant to the disclosure statements of some of the accused showing the complexity, there is nothing to interdict the investigation, but for to say, for none of the offences punishable above seven years, from reading of Section 51 of the Wild Life Protection Act, petitioners are entitled only to the protection of Section

41A Cr.P.C. and the guidelines laid down by the Hon'ble Apex Court in ***Arnesh Kumar Vs. State of Bihar***¹ in this regard.

3. Accordingly and with the above direction, this criminal petition is disposed of. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence.

DR.B.SIVA SANKARA RAO, J

11.10.2017
SS



¹ 2014 (5) SCC 324