



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

Tuesday, the Thirtieth day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.1413 of 2018

1 MALIKARAJA
2 THARIK ALI
3 MOHAMMED SATHURDEEN
4 FAISAL @ MOHAMMED ABDUL FAISAL KHAN ... PETITIONERS/
ACCUSED NO.2 TO 5
Vs

STATE REP.BY
THE FOREST RANGER,
KILAKARAI FOREST RANGE,
RAMANATHAPURAM DISTRICT.
(WLOR.NO.2 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioners: M/S. K.MATHAN, Advocate

For Respondent : M/S.A.ROBINSON, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners / A2 to A5, who apprehend arrest at the hands of the respondent Police for the offence punishable under Sections 9, 36, 35(R), 39(1), (a), (b), (d), 39(3), 50, 52 of Wild Life Protection Act in W.L.O.R.No.2 of 2018, seek anticipatory bail.

2.The case of the prosecution is that the petitioner and other accused were found in possession of 30 kgs of Sea Cucumber illegally.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the petitioners have not committed any offence as alleged by the prosecution and they are no way connected with the offences, and pleads for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate(Crl.side) submitted that investigation is still pending.

5.The submissions made by the learned counsel on either side are considered. It is alleged that during the time of occurrence, the petitioners were found in illegal possession of 30 kgs of sea cucumber. The offence is prevention under Section 9 of Wild Life Protection Act. So the offence is not an ordinary offence. Only for unlawful enrichment, the petitioner committed this offence.



6. Taking note of the above said aspects into consideration and having regard to the nature of offence committed by the petitioner, this Court is not inclined to grant anticipatory bail to them at this stage. Accordingly, this Criminal Original Petition is dismissed.

sd/-
30/01/2018

WEB COPY

/ TRUE COPY /

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

TO

1. THE FOREST RANGER,
KILAKARAI FOREST RANGE,
RAMANATHAPURAM DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.1413 of 2018
Date :30/01/2018

MS/CM-VR/SAR.2/07.02.2018/2P.3C