



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

Tuesday, the Fifth day of June Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.8833 of 2018

1 R.MURUGAN
2 R.RAJADURAI
3 S.PANDI
4 M.SARATH KUMAR

... PETITIONERS / ACCUSED 1 to 4

Vs

THE STATE REPRESENTED BY
THE FOREST RANGE OFFICER,
THIRUPPATHUR FOREST RNAGE,
SIVAGANGAI DISTRICT.
WILD LIFE CRIME NO.4/2018.

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.K.BAALASUNDHARAM Advocate

For Respondent : Mr.A.P.G.OHM CHAIRMA PRABHU,
Govt. Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

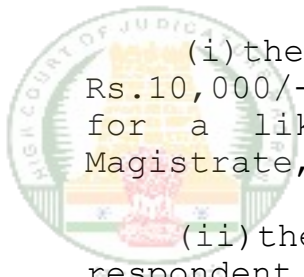
ORDER : The Court Made the following order :-

The petitioners are arrayed as Accused Nos. 1 to 4. They were arrested and remanded to judicial custody on 15.05.2018, for the offences punishable under Sections 9, 39, 49(B), 50 and 51 of Wild Life Protection Act, 1972 and Section 28 of Arms Act, 1959, in Crime No.4 of 2018, on the file of the respondent police. They seek bail.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent.

3.The case against the petitioners is that they were found in possession of five dead peacocks and unlicensed pistol. Country pistol has since been recovered and investigation also must have been substantially over. The defacto complainant is the Sub Inspector of Police. Therefore, there is no possibility of tampering with the witness.

4.Accordingly, the petitioners are ordered to be released on bail, subject to the following conditions;



(i) the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Thiruppathur, Sivagangai District.

(ii) the petitioners are directed to appear before the respondent police as and when required for interrogation.

(iii) on breach of any of the aforesaid conditions, the Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the 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/-
05/06/2018

/ TRUE COPY /

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

TO

- 1 JUDICIAL MAGISTRATE COURT,
THIRUPPATHUR, SIVAGANGAI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
- 3 THE OFFICER INCHARGE,
SUB-JAIL, THIRUPPATHUR,
SIVAGANGAI DISTRICT.
- 4 THE OFFICER INCHARGE,
BORSTAL SCHOOL, MELUR.
- 5 THE FOREST RANGE OFFICER
THIRUPPATHUR FOREST RANGE,
SIVAGANGAI DISTRICT.
- 6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.K.BAALASUNDHARAM Advocate SR.No.9472.

ORDER
IN
CRL OP (MD) No.8833 of 2018
Date : 05/06/2018