



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

Thursday, the Sixth day of September Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.15762 of 2018

P.MARIYAPPAN

... PETITIONER / ACCUSED NO.1
Vs

STATE REPRESENTED BY
THE FOREST RANGER OFFICER
FOREST RANGE OFFICE, SIVAGIRI,
TIRUNELVELI DISTRICT.
(W.L.O.R.NO.2/2018)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.N.BALASUBRAMANIAN Advocate

For Respondent : MR.V.NEELAKANDAN
ADDITIONAL PUBLIC PROSECUTOR

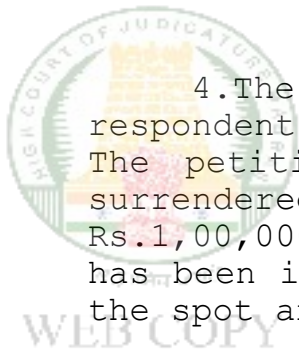
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 9, 29, 31, 32, 39(19), 50(1)(a), 51(1) of Wild Life Protection Act and Section 7(a), 8(2) of the Arms Act, in W.L.O.R.No.2 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that on 09.06.2018, the petitioner and other accused persons gone to the reserve forest and hunted the Deer with Village gun. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent. He did not commit any offence as alleged by the prosecution. He further submitted that the petitioner is a load man, who bring the goods from the village to estate in the reserve forest. Because of that he know all the forest area routes. Other accused in this case asked the petitioner to guide them to get into forest. After the route was shown to them, the petitioner was return back to the village. Except the above role, he did not commit any offence as alleged by the prosecution. Hence, he prays for anticipatory bail to the petitioner.



4.The learned Additional Public Prosecutor appearing for the respondent submitted that totally there are 6 accused in this case. The petitioner is arraigned as A1. Accused Nos. 2 to 6 were surrendered before the Court below and deposited a sum of Rs.1,00,000/-. Based on their confession statement, this petitioner has been implicated. At the time of occurrence, he was escaped from the spot and the investigation is pending.

5.Taking note of the facts and circumstances, 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 before the learned Judicial Magistrate, Sivagiri, Tirunelveli District and on his executing 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 learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.30 a.m until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

6.The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
06/09/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, SIVAGIRI
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT
- 3 THE FOREST RANGER OFFICER
FOREST RANGE OFFICE, SIVAGIRI,
TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.N.BALASUBRAMANIAN Advocate SR.No.17152

ORDER
IN

CRL OP(MD) No.15762 of 2018
Date :06/09/2018