



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

Tuesday, the Sixteenth day of April Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.5697 of 2019

RAJAMANI

... PETITIONER / ACCUSED NO.1

Vs

STATE REP.BY
THE FOREST REGIONAL OFFICER,
GANDAMANUR, THENI DISTRICT.
W.L.O.R.NO.2 OF 2019

... RESPONDENT / COMPLAINANT

For Petitioner : MR.G.KARUPPASAMY PANDIYAN, Advocate
For Respondent : Mr.S.CHANDRASEKAR, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner was arrested and remanded to judicial custody since 28.03.2019 for the offences punishable under Section 2(16) (a) (b) (C), (20), (35), 9, 39 and 51 of Wild Life Protection Act., in W.L.O.R. No.02 of 2019, on the file of the respondent police. He seeks bail.

2.The case of the prosecution is that when the respondent police conducted a raid along with their party, the petitioner was found in possession of four kilogram of deer meat, thereby, the Law Enforcing Agency registered a case against the petitioner. Hence, the petitioner was arrested and remanded to judicial custody.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that he was in possession of meat but he has not hunted the deer.

4.The learned counsel appearing for the petitioner, on institutions, submitted that the petitioner is ready to deposit Rs.25,000/- in favour of the welfare activities of the Forest Ranger of Gandamanur Forest Division.

5.The learned Additional Public Prosecutor for the State would submit that the petitioner and other accused person hunted the deer through dog. He further submitted that investigation is pending.



6. Considering the facts and circumstances of the case, considering the fact that the petitioner is ready to deposit a sum of Rs.25,000/- in favour of the Forest Ranger, Gandamanur, Theni District and also considering the period of incarceration of the petitioner, this Court is inclined to grant bail to the petitioner.

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6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, of whom, one should be a blood related surety, each for a like sum to the satisfaction of Sub Jail, Theni and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the concerned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner is ready to deposit a sum of Rs.25,000/- before the Forest Ranger, Gandamanur, Theni District for the welfare activities in the Gandamanur Forest Division.

(c) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) 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 petitioner 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]**; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

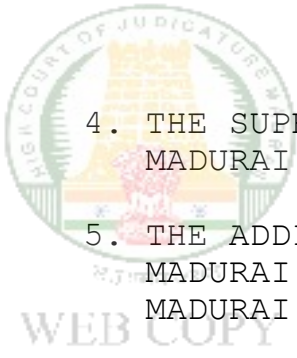
16/04/2019

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

TO

1. THE FOREST REGIONAL OFFICER,
GANDAMANUR, THENI DISTRICT.
2. THE FOREST RANGER, GANDAMANUR,
THENI DISTRICT.
3. THE OFFICER INCHARGE, SUB JAIL,
THENI.



4. THE SUPERINTENDENT, CENTRAL PRISON,
MADURAI.

5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to Mr.G.KARUPPASAMY PANDIYAN Advocate SR.No.6803

ORDER

IN

CRL OP(MD) No.5697 of 2019

Date :16/04/2019

MS/MMS/SAR-2/16.04.2019/3P.7C