

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

Tuesday, the Thirtieth day of April Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.6451 of 2019

M.MANIKANDAN

... PETITIONER/ACCUSED No.1

Vs

THE FOREST RANGER,
BATHLAGUNDU FOREST RANGE, BATHLAGUNDU,
DINDIGUL DISTRICT.
FOREST CRIME NO.3 OF 2019

... RESPONDENT/COMPLAINANT

For Petitioner : MR.M.MUTHUKUMAR, Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 9, 50, 51 and 39 of Wild Life Protection Act, 1972, in Crime No.3 of 2019, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 05.04.2019, the petitioner and other accused persons were cooking palm civet in the garden. For which, the respondent police registered a case against the accused persons.

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.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the investigation is still pending.

5.Considering the facts and circumstances of this case and also considering nature of allegation levelled against the petitioner, the petitioner is ordered to be released on bail in the

event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Nilakottai, on condition that the petitioner shall execute 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 respondent police or the police officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioner is directed to deposit a sum of Rs.50,000/- to the credit of District Forest Officer, Dindigul Division, Dindigul, for the welfare of forest animals, within a period of two weeks from the date of receipt of a copy of this order, failing which, this petition shall stand dismissed automatically without further reference of this Court.

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

(c) the petitioner shall report before the respondent police as and when required for interrogation.

(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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-
30/04/2019

/ TRUE COPY /

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

TO

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.

3.THE FOREST RANGER,
BATHLAGUNDU FOREST RANGE,
BATHLAGUNDU, DINDIGUL DISTRICT

4.THE DISTRICT FOREST OFFICER,
DINDIGUL DIVISION, DINDIGUL

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

ORDER
IN
CRL OP (MD) No.6451 of 2019
Date :30/04/2019

DAS
PK/PN/SAR-1/09.05.2019 : 3P/6C



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