

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.05.2020

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Crl. O.P. Nos. 7916 & 7918 of 2020

Sreenivasan,
S/o. Thilaikannu,
Kattumayilur,
Vridhachalam,
Cuddalore District.

..Petitioner in Crl.O.P. No. 7916 /2020

Manikandan,
S/o. Thilaikannu,
Kattumayilur,
Vridhachalam,
Cuddalore District.

..Petitioner in Crl.O.P. No. 7918 /2020

Vs.

S.H.O. Forest Department,
Vridhachalam,
Cuddalore District.

..Respondent in both the petitions
/ Complainant

(WLOR No. 2 of 2020)

Common Prayer: Criminal Original Petitions filed for anticipatory bail under Section 438 of Criminal Procedure Code.

(In all petitions)

For Petitioners : Mr. A.K. Rajaraman

For Respondent : Mr. M. Jothikumar

Additional Public Prosecutor

COMMON ORDER

The petitioners, who apprehend arrest at the hands of the respondent Police for alleged offence punishable under Sections 224, 506(ii), 307 of I.P.C. and Section 2, 9, 39, 44(b), 50, 51 of Wildlife Protection Act, 1972, in WLOR No. 2 of 2020, seek anticipatory bail.

2. The case of the prosecution is that, on 19.04.2020 at about 6.30 a.m., when the de-facto complainant, the Forest Officer was on patrolling duty in Kaatumayilur, Virudhachalam Forest area, the de-facto complainant found that the petitioners and other accused have cut the meat of spotted deer and loaded the same in gunny bags. On seeing the de-facto complainant, the petitioners ran away along with meat in the gunny bags. A3 was arrested and

a knife and Honda Activa two wheeler bearing Registration No. TN 91 T 8116 were seized. On complaint, a case has been registered under Sections 224, 506(ii), 307 of I.P.C. and Section 2, 9, 39, 44(b), 50, 51 of Wildlife Protection Act, 1972.

3. The learned counsel appearing for the petitioners submitted that the petitioners were only standing to collect water from the local bore well. The petitioner in Crl. O.P. No.7916 of 2020 is a member of Panchayat Council and the petitioner in Crl. O.P. No. 7918 of 2020 is a social activist and has participated in many protests against the anti-social moves of various departments. In view of the same and due to political vengeance, the petitioners, who are innocent, are falsely implicated in this case. They have not committed any offence as alleged by the prosecution and prayed for granting anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police submitted that petitioners are involved in many cases of similar nature. The petitioners and other accused have committed a serious

offence by hunting the spotted deer, which is an endangered species. On seeing the Forest Officers, the petitioners, who are A1 and A2, ran away and are absconding and A3 was arrested. If the petitioners are granted anticipatory bail, they will continue to indulge in committing similar offence and hence, he vehemently opposed for granting anticipatory bail to the petitioners.

5. Heard the learned counsel appearing for the petitioners as well as the learned Additional Public Prosecutor appearing for the respondent Police and perused the materials available on record.

6. Considering the serious nature of offence alleged against the petitioners and submissions of the learned counsel on either side, this Court is not inclined to grant anticipatory bail to the petitioners.

7. Accordingly, these Criminal Original Petitions are dismissed.

27.05.2020

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Index : Yes / No

Internet : Yes / No

To

1.S.H.O. Forest Department,
Vridhachalam,
Cuddalore District.

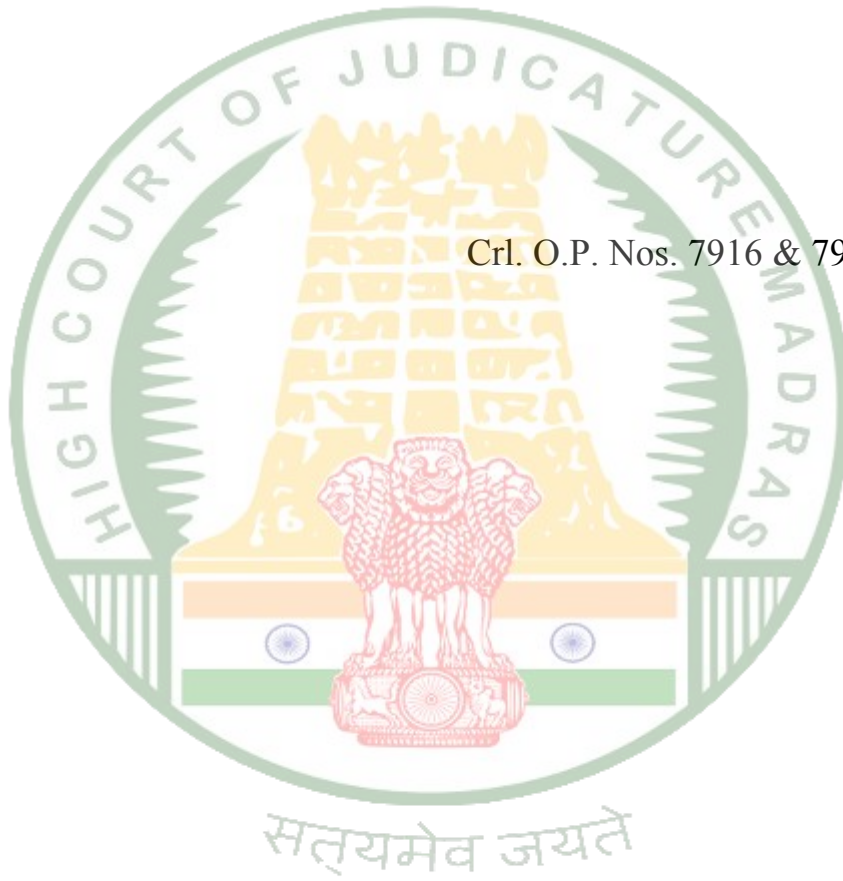
2.The Public Prosecutor,
High Court,
Madras.



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V.M.VELUMANI, J.,

gsa



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