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Nagercoil.(S.T.O.R.No.4 of 2019).

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

Date : 10/01/2020

PRESENT

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

CRL OP(MD) .Nos.398 and 401 of 2020

John,

... Petitioner/Accused
in Crl.O.P.(MD)No.398 of 2020
... Petitioner/Accused No.2
in Crl.O.P.(MD)No.401 of 2020

Vs

The State rep.by
The Forest Range Officer,
Vellimalai Forest Range Officer,
Nagercoil.

... Respondent/Complainant
(in both Crl.O.Ps.)

(S.T.O.R.No.4 of 2019).

... in Crl.O.P.(MD)No.398 of 2020

(S.T.O.R.No.1 of 2019).

... in Crl.O.P.(MD)No.401 of 2020

(in both Crl.O.Ps.)

For Petitioner : Mr. R.C. Paul Kanagaraj,
Advocate.

For Respondent : Mr.K.K.Ramakrishnan,
Additional Public Prosecutor

PETITIONS FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER in Crl.O.P.(MD)No.398 of 2020 :-

For Anticipatory Bail in S.T.O.R.No.4 of 2019 on the file of
the Special Sub Court (Special Judge) for Forest Offence Cases,
Nagercoli, Kanyakumari District.

PRAYER in Crl.O.P.(MD)No.401 of 2020:-

For Anticipatory Bail in S.T.O.R.No.1 of 2019 on the file of
the Special Sub Court (Special Judge) for Forest Offence Cases,
Nagercoil, Kanyakumari District.

<https://hcservices.ecourts.gov.in/hcservices/>



COMMON ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

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2. The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 21(d) (e) (f), 35 and 36 of Tamil Nadu Forest Act and under Section 27 and 29 of Wild Life Protection Act, 1972, in both S.T.O.R.No.4 of 2019 and S.T.O.R.No.1 of 2019 on the file of the respondent police, seeks anticipatory bail.

3. The petitioner's earlier petition for anticipatory bail suffered a dismissal by assigning certain reasons. The learned counsel for the petitioner convincingly demonstrated that the reasons assigned by me while dismissing the petitions would apply only to S.T.O.R.No.2 of 2019 and they were not relevant to S.T.O.R.Nos.1 and 4 of 2019.

4. I am satisfied with the submissions made by the learned counsel for the petitioner. I am inclined to grant anticipatory bail to the petitioner in both the cases, with certain conditions. Accordingly, petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Special Sub Court (Special Judge) for Forest Offence Cases, Nagercoil, Kanyakumari, 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 as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

5. 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/-
10/01/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE SPECIAL SUB COURT (SPECIAL JUDGE) FOR FOREST OFFENCE CASES,
NAGERCOIL, KANYAKUMARI,

<https://hcservices.nic.in/ECR/ECR001/fcserve/KS>



2. THE FOREST RANGE OFFICER,
VELLIMALAI FOREST RANGE OFFICER,
NAGERCOIL.

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

+2 CC to M/s.R.C.PAUL KANAGARAJ, Advocate (SR-729, 730[I] dated
10/01/2020)

ORDER

IN

CRL OP (MD) .Nos.398 and 401 of 2020

Date :10/01/2020

AE/JC/SAR-I (23.01.2020) 3P 6C