



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

Date : 09/01/2020

PRESENT

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

CRL OP(MD). No.284 of 2020

Y.Nalla Ibrahim

...Petitioner/Sole Accused

Vs

The State rep.by
The Forest Ranger,
Keelakkarai Forest Range,
Ramanathapuram District.
WLOR No.9 of 2019

... Respondent/Complainant

For Petitioner : M/s.S.C.Herold Singh,
Advocate.

For Respondent : Mrs.M.Ananthadevi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in WLOR.No.9 of 2019 on the file of the Respondent

ORDER : The Court made the following order :-

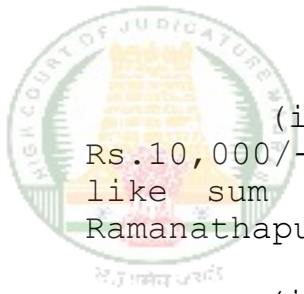
Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner is in custody since 10.12.2019, for the offences under Sections 9, 39(i)(a)(b), 39(3), 49(A),a,b, 50 and 52 of Wild Life Act, in W.L.O.R.No.9 of 2019, on the file of the respondent police. Hence, he seeks bail.

3. The learned Government Advocate (Crl. Side) on instructions states that the petitioner appears to be a habitual offender and that therefore he should not be granted bail.

4. Since the continued incarceration of the petitioner is not going to serve any purpose, I am inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions;

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



(i) 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 Judicial Magistrate No.I, Ramanathapuram.

(ii) the petitioner is directed to appear before the respondent police as and when required for the interrogation.

(iii) 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].

5. At the same time, I cannot lose sight of the fact that the previous cases registered against the petitioner are still in pending trial. It is not as acceptable state of affairs. two cases are of the year 2012 while the other case is of the year 2013. Therefore, the Jurisdictional Court is directed to fast track the trial and conclude the proceedings on merits and in accordance with law within a period of four months from the date of receipt of a copy of this order. The learned Government Advocate (Crl. Side) has furnished the details as under:-

S.No	W.L.O.R.No.	C.C.No.	Court
1	W.L.O.R.No.5 of 2012	C.C.No.65 of 2017	Judicial Magistrate No.I, Ramanathapuram
2	W.L.O.R.No.7 of 2012	C.C.No.159 of 2018	Judicial Magistrate No.I, Ramanathapuram
3	W.L.O.R.No.5 of 2013	C.C.No.290 of 2019	Judicial Magistrate No.I, Ramanathapuram

6.The Registrar (Judicial) is directed to communicate the copy of this order to the Jurisdictional Court.

sd/-
09/01/2020

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

TO

1.THE JUDICIAL MAGISTRATE NO.I, RAMANATHAPURAM.

2.DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

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



3.THE OFFICER INCHARGE,
SUB JAIL, RAMANATHAPURAM.

4.THE FOREST RANGER,
KEELAKKARAI FOREST RANGE,
RAMANATHAPURAM DISTRICT.

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

COPY TO:

THE REGISTRAR(JUDICIAL)
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S. S.C.HEROLD SINGH Advocate SR.No.497

ORDER
IN
CRL OP(MD) No.284 of 2020
Date :09/01/2020

IAS
TK/PN/SAR.1/09.01.2020/3P/8C