



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/12/2020

PRESENT

The Hon'ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.15299 of 2020

T.Ammaiappan

... Petitioner/Sole Accused

Vs

The Forest Officer,
Rajapalayam Forest Office,
Rajapalayam,
Virudhunagar District.
W.L.O.R.No. 5 of 2020.

... Respondent/Complainant

For Petitioner : M/s.Balasubramanian.N,
Advocate.

For Respondent : Mr.R.Erottuchamy,
Government Advocate (Crl.Side)

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

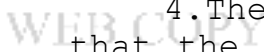
PRAYER :-

For Anticipatory Bail in W.L.O.R.No.5 of 2020 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner, who is arrayed as sole Accused , apprehending arrest at the hands of the respondent police for the offences punishable under sections 9, 39 r/w. 51(1) and 51(1A) of the Wild Life (Protection) Act, 1972 in W.L.O.R.No.5 of 2020, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 14.12.2020, when the respondent police came to the petitioner's house and entered the house of the petitioner in kitchen, the respondent found 350 Grams Cooked deer meat. Hence, the present complaint.



5.The learned Government Advocate (Cr1. Side), appearing for the respondent police submitted when the respondent police came to the petitioner's house and entered the house of the petitioner in kitchen, the respondent found 350 Grams Cooked deer meat. He further submitted that there is no previous case as against the petitioner.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of two weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Rajapalayam, on condition that the petitioners 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

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

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

(e) 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;



(f) if the accused/petitioner thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

WEB COPY

/ TRUE COPY /

sd/-
21/12/2020

/ /2020

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE JUDICIAL MAGISTRATE, RAJAPALAYAM.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
3. THE FOREST OFFICER,
RAJAPALAYAM FOREST OFFICE,
RAJAPALAYAM,
VIRUDHUNAGAR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.15299 of 2020
Date :21/12/2020

LS
TE/JM/SAR-III : 29/12/2020 : 3P/5C