

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.05.2021

CORAM:

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CrI.O.P.No.9333 of 2021

1. S.Prasad
2. Raymond Dean

... Petitioners

Vs.

State represented by
The Forest Range Officer,
Singara, Singara Range,
The Nilgris.

... Respondent

PRAYER: Criminal Original petition has been filed under Section 439 of Cr.P.C, prayed to enlarge the petitioner on bail in Crime, WL.OR.No.1 of 2021 on the file of the Forest Range Officer, Singara Range, The Nilgris.

For Petitioner : Dr.S.R.Kalyani

For Respondent : Mr.A.Gopinath
Government Advocate (CrI. side)

ORDER

The petitioners who were arrested and remanded to judicial custody on 22.01.2021 for the offences under Sections 9 r/w 2(16) and Sections 51 and 52 of Wild Life Protection Act, 1972 in Cr.No. WL.OR.No.1 of 2021 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners who are arrayed as A1 and A2 along with other accused injured an elephant by throwing fire balls over it and the elephant died sustaining burn injuries. Hence the complaint.

3. The learned counsel for the petitioners submits that the petitioners are no way connected with the alleged offence and they have been falsely implicated in this case and the petitioners have been in jail from 22.01.2021 Therefore, he prays to grant bail to the petitioners.

4. Learned Government Advocate (Crl. Side) vehemently opposed the submissions of the learned counsel for the petitioners. He submits that the petitioners along with other accused injured an elephant by throwing fire balls over it and the elephant died sustaining burn injuries. Hence the respondent arrested the petitioners and remanded to judicial custody under Gundas Act on 22.01.2021 and the Collector of Nilgiris has issued detention order on 09.03.2021 against the petitioners in TPDA No.730 and 729/201. Learned Government Advocate vehemently objects that the detention order has not been revoked and hence the petitioners are not entitled to bail.

5. Considering objection of the learned Government Advocate that the detention order has not been revoked, this petition is dismissed.

-sd/-
26/05/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
GUDALUR, THE NILGIRIS.

2 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

3 THE FOREST RANGE OFFICER,
SINGARA, SINGARA RANGE,
THE NILGIRIS.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.DR.S.R.KALYANI Advocate on payment of necessary charges

CRL OP.9333/2021

Date :26/05/2021

MK:30/06/2021