



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Second day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.15734 of 2021

K.V.SAJI

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY
THE FOREST RANGE OFFICER,
BITHERKAD, PANDALUR TALUK,
THE NILGIRIES DISTRICT.
(WLOR.NO. 1/2021)

[RESPONDENT]

For Petitioner : M/S.P.PRAKASH PAUL Advocate

For Respondent : MR.A.GOPINATH, Govt. Advocate (CrI. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under chapter 1 Section 2 (16) (a) and Chapter III Section 9, Chapter V Section 39 (1) (d) (3) © r/w chapter VI Section 15 of the Wild life (protection) Act 1972 in W.L.O.R.No 1 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner has erected iron fencing and connected the electricity from his house directly, which had caused death of a tusker aged about 4 to 5 years. Hence, the law enforcing registered a case against the petitioner.

3. The learned counsel for the petitioner submits that in order to safeguard his crops and yieldings he has set up battery power electric fencing in his farmland for the last 5 years. The electric power is stored in a battery and is supplied to the fencing to give short to the animal but not lethal electric shock as alleged in the WLOR. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (CrI.Side) appearing for the respondent submitted that due to the irresponsible act of the petitioner, a tusker aged about 4 to 5 years was dead. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.



5. Considering the facts and circumstances of the case and the nature of offence committed by the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
02/09/2021

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 FOREST RANGE OFFICER,
BITHERKAD, PANDALUR TALUK,
NILGIRIES DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+2CC to M/S.P.PRAKASH PAUL Advocate on payment of necessary charges SR.NO.9565

CRL OP.15734/2021

Date :02/09/2021

CSK 20/09/2021