



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Thursday, the Thirtieth day of September Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI
CRIMINAL ORIGINAL PETITION No.18188 of 2021

K.V.SAJI

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE FOREST RANGE OFFICER,
BITHERKAD,
PANDALUR TALUK,
THE NILGIRIS DISTRICT.

[RESPONDENT]

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

For Respondent : MR. C.E.PRATAP, Govt. Advocate (Crl. 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 offence punishable under Chapter 1 section 2 (16) (a) and Chapter III section 9, Chapter V section 39 (1) (d) (3) (c) r/w Chapter VI section 51 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 Agency registered a case against the petitioner.

3. The learned counsel for the petitioner submits that the petitioner did not committed any offence as alleged by the prosecution. He further submits that at the relevant point of time there is no electricity in the locality. Further, the newspaper report reveals that the tusker was died due to the Solar Power Electrocution. In view of the contrary news in the social media and the FIR, this court may consider for anticipatory bail to the petitioners.



4.The learned Government Advocate (Crl.Side) submits that this is petitioner's second application and the petitioner's earlier application was dismissed by this Court on 02.09.2021 in Crl.O.P.No. 15734 of 2021. He further 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 gravity of the offence and also considering the fact that after the dismissal of the earlier application, there is no change of circumstances, this Court is not inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

-sd/-
30/09/2021

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,
THE NILGIRIS DISTRICT.

2 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

+1 CC to M/S P.P.PRAKASH Advocate on payment of necessary charges SR.NO.10931

CRL OP.18188/2021

Date :30/09/2021

INBA-07/10/2021