



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.12.2021

CORAM

WEB COPY

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

Crl.O.P.No.24187 of 2021

1. Jayaraman
2. Vendhan

... Petitioners

Versus

State Rep by
The Forest Range Officer,
Singarapettai Range,
Krishnagiri District.

... Respondent

PRAYER: Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioners on bail in the event of their arrest in S.T.O.R.No.2 of 2021 pending investigation on the file of the respondent police.

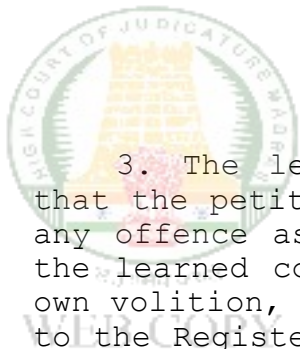
For Petitioners : Mr.E.Kannadasan

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 2, 35, 35(B), 36 & 58 of Forest Act 1882 and Section 2, 3 & 4 of Tamil Nadu Timber Transit Rules 1968, in STOR No.2 of 2021, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners along with other accused persons were found in illegal possession of teak wood. Hence, the complaint.



3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. However, on instructions, the learned counsel further submitted that the petitioners, on their own volition, are ready and willing to contribute a sum of Rs.30,000/- to the Registered Advocate Clerk Association, Thiruppathur. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that the second petitioner is not an accused in this case. He further submitted that the investigation is almost completed.

5. Considering the facts and circumstances of the case and also the fact that the second petitioner is not an accused in this case. Therefore, this Criminal Original Petition is closed as against the second petitioner and the investigation is almost completed, this Court is inclined to grant anticipatory bail to the first petitioner with certain conditions.

6. Accordingly, the first petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.II, Thiruppathur, on condition that the first 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the first petitioner is directed to deposit a sum of Rs.30,000/- (Rupees Thirty Thousand only) to the credit of the Registered Advocate Clerk Association, Thiruppathur, within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below.

[b] the first petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[c] the first petitioner is directed to report before the respondent police daily at 10.30 a.m., until further orders. .

[d] the first petitioner shall not tamper with evidence or witness either during investigation or trial.



[e] the first petitioner shall not abscond either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the first petitioner in accordance with law as if the conditions have been imposed and the first 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-

13/12/2021

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 JUDICIAL MAGISTRATE,
NO.II, THIRUPPATHUR.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION].

3 THE FOREST RANGE OFFICER,
SINGARAPETTAI RANGE,
KRISHNAGIRI DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE REGISTERED ADVOCATE,
CLERK ASSOCIATION, THIRUPATTUR.

+1 CC to M/S E.KANNADASAN Advocate on payment of necessary charges SR.NO.14622

CRL OP.24187/2021

Date :13/12/2021

JPA 20/12/2021