



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/03/2021

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PRESENT

The Hon'ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD).No.3555 of 2021

Mansoor Ali

... Petitioner/ Accused No.2

Vs.

The Forest Ranger,
Office of the Forest Range Office,
Gulf of Marine Tamil Nadu National Park,
Thoothukudi.
(O.R.No.1 of 2020)

... Respondent/Complainant

For Petitioner : Mr.V.Malaiyendran

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in O.R No.1 of 2020 on the file of the respondent.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2.The petitioner filed this criminal original petition seeking anticipatory bail as he apprehended arrest at the hands of the respondent for the offence under Sections 9, 51(1) of the Wild Life Protection Act, 2002.

3.The learned Government Advocate opposed the grant of anticipatory bail by pointing out the bad antecedents of the petitioner herein. This Court therefore indicated that if the petitioner would surrender, this petition for anticipatory bail will be converted into one of bail petition.



4. Taking hint drafted by the court, the petitioner surrendered yesterday and he is now lodged in Perurani District Jail, Thoothukudi. Therefore, I convert this anticipatory bail petition as bail petition. The case was registered way back in January 2020. We are now in March 2021. I am of the view that continued incarceration of the petitioner is not going to serve any purpose. Hence, I am inclined to enlarge the petitioner on bail.

5. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions;

(i) the 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 learned Judicial Magistrate No.II, Thoothukudi.

(ii) the petitioner is directed to appear before the respondent daily at 10.30 A.M for a period of two weeks.

(iii) the petitioner shall not abscond.

(iv) 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].

sd/-
11/03/2021

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/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE NO.II, THOOTHUKUDI

2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI.

3 THE FOREST RANGER
GULF OF MARINE TAMILNADU NATIONAL PARK,
THOOTHUKUDI.



4 THE OFFICER-INCHARGE,
DISTRICT JAIL,
PERURANI.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

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ORDER

IN

CRL OP(MD) No.3555 of 2021

Date :11/03/2021

NR/VR/SAR-IV(11.03.2021) 3P:6C