



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 02.08.2021
PRESENT

WEB COPY

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.3803 of 2021

Marikayar @ Syed Kasim

... Petitioner/Accused No.1

Vs

The State rep.by
The Inspector of Police,
Mandapam Police Station,
Ramanathapuram District.
In Crime No.48 of 2021

... Respondent/Complainant

For Petitioner : Mr.A.BALAJI, Advocate

For Respondent : Mr.T.SENTHIL KUMAR
Government Advocate(Crl. side)

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

PRAYER :-

For Anticipatory Bail in Crime no.48 of 2021 on the file of the respondent Police.

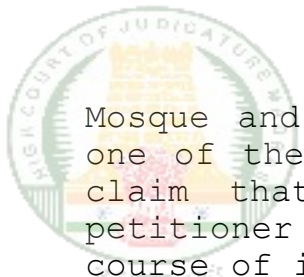
ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 9, 39(1)d(3), 50 and 51(1) of the Wild Life (Protection) Act, 1972 in Crime No.48 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the respondent Police on certain information, conducted inspection near a Mosque at Mandapam. On seeing the Police party, the accused leaving certain bags ran away. The respondent Police has recovered 951.600 Kgs of Sea Cucumber from seven bags, that were left by the accused.

3. The learned counsel for the petitioner submits that this petitioner is a respectable person in the society and he was admitted in the Hospital on 02.03.2021 due to heart attack and discharged from the Hospital on 07.03.2021. However, without verifying the same, the respondent Police registered a case as against this petitioner for the alleged commission of offence that is said to have taken place on 04.03.2021.

4.The learned Government Advocate (Criminal Side) would submit that Sea Cucumber was recovered from the petitioner's farmland near



Mosque and this petitioner is also having four previous cases and one of the previous cases is of similar nature. He would further claim that the investigation is in crucial stage and if the petitioner is granted anticipatory bail, it would affect further course of investigation.

5. Considering the nature of offence and the quantity of Sea Cucumber recovered from the petitioner farmland and also considering one previous case of similar nature, this Court is not inclined to grant anticipatory bail to the petitioner.

6. The learned counsel for the petitioner claims that the petitioner was admitted in Baba JJ Hospital, R.R.Sethupathy Nagar, Ramanathapuram on 02.03.2021 and was discharged on 07.03.2021. The respondent Police shall conduct investigation with regard to the same and find out whether the certificate issued by Baba JJ Hospital is a genuine one or not. If any false certificate has been issued by the said Hospital, the investigation shall also proceed against the person who has issued such a false certificate.

7. In the result, this Criminal Original Petition is dismissed.

sd/-
02/08/2021

/ TRUE COPY /

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1.THE INSPECTOR OF POLICE,
MANDAPAM POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 2.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI DISTRICT.

ORDER IN
CRL OP(MD) No.3803 of 2021
Date :02/08/2021

SA/VR/SAR.1/05.08.2021/2P/3C

<https://hcservices.ecourts.gov.in/hcservices/>