



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/12/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.19636 of 2021

Ajith @ Kocha,

... Petitioner/Accused No.1

Vs

State Rep by,
The Forest Range Officer,
Boothapandi Forest Range,
Kanyakumari District.
(WL.OR.No.6/2010).

... Respondent/Complainant

For Petitioner : Mr.C.Christopher, Advocate.

For Respondent : Mr.S.S.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.WLOR.No.6 of 2010 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the respondent police, for the offence under Sections 9, 39, 50, 51 & 57 of Tamil Nadu Wild Life Protection Act, 1972, in WL.OR.No.6 of 2010, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and other accused had trespassed into the forest area with country bombs and hunted two wild boar. Hence, the complaint.

3.The learned counsel for the petitioner would submit that based on the confession of co-accused and the vehicle of the petitioner has been seized from the occurrence spot, this petitioner has been implicated in this case. Co-accused was already enlarged on bail.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner is having one previous



case of similar nature at his credit and if the petitioner is released on bail, he might indulge in similar kind of offence.

5. Reading of FIR, order passed by the learned Principal Sessions Judge, Kanyakumari District and also the entire case records shows that this petitioner has been implicated in this case, since his vehicle was seized from the occurrence place by the police party. Further it appears that the two wild boar has been shot by using explosive substances. However, no substance has been recovered from the occurrence spot and the case is under investigation.

6. From the above facts, it is seen that there is enough *prima facie* materials to implicate this petitioner in this case. Even though, co-accused has been released on bail after arrest, considering the antecedents and role played by the petitioner, there is every possibility to engage himself in these illegal activities in future. Hence, this petition deserves to be dismissed.

7. Accordingly, this Criminal Original Petition is dismissed.

sd/-

21/12/2021

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

PNM

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 FOREST RANGE OFFICER
BOOTHAPANDI FOREST RANGE,
KANYAKUMARI DISTRICT.

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

+1. CC to MR.C.CHRISTOPHER, Advocate SR.No.40295(F)

ORDER

IN

CRL OP(MD) No.19636 of 2021

Date : 21/12/2021