



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Nineteenth day of January Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.948 of 2022

K.V.SAJI

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE FOREST RANGE OFFICER,
BITHERKAD, PANDALUR TALUK,
THE NILGIRIS DISTRICT.
(W.L.O.R NO.1 OF 2021)

[RESPONDENT]

For Petitioner : M/S.K.THAMIZHARASAN Advocate

For Respondent : MR.S.BALAJI, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

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 Wildlife (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 erected iron fencing and gave electricity connection to the same from his house directly, which caused the death of a Tusker aged about 4 to 5 years. Hence, the Law Enforcing Agency registered a case against the Petitioner.

3.Learned counsel for the Petitioner submitted that, the Petitioner did not commit any offence as alleged by the prosecution and that, the Tusker died due to Solar Power electrocution and illness. He further submitted that, the Petitioner is the sole bread-winner of his family and that, he is ready to co-operate with the investigation, which is almost over and appear before the Respondent Police twice a day. Hence, he prays for grant of Anticipatory Bail to the Petitioner.



4.Learned Government Advocate (Crl. side) submitted that, this Court had already dismissed the Anticipatory Bail Petitions filed by the Petitioner taking note of the fact that, a Tusker aged about 4 to 5 years died due to the irresponsible act of the Petitioner. He further submitted that, investigation of the case is still under way. Hence, he vehemently opposed for grant of Anticipatory Bail to the Petitioner.

5.As the investigation of the case is not yet over and as there is no change of circumstances, this Court is not inclined to grant Anticipatory Bail to the Petitioner.

Accordingly, the Criminal Original Petition is dismissed.

-sd/-

19/01/2022

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.

CC to M/S.K.THAMIZHARASAN Advocate on payment of necessary charges

CRL OP.948/2022

Date :19/01/2022

CSK 27/01/2022