



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Nineteenth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.11117 of 2022

1 ANANDKUMAR
2 M.SATHIYA

[PETITIONERS / ACCUSED]

Vs

THE STATE REP BY
THE FOREST RANGER OFFICER,
KANCHEEPURAM CIRCLE,
HAVING OFFICER AT RM9X+C54,
CHEYYAR-KANCHIPURAM ROAD,
GEM NAGAR, KANCHIPURAM.
CR.NO.NOT KNOWN OF 2022.

[RESPONDENT]

For Petitioner : M/S.S.THIRUGNANAM Advocate

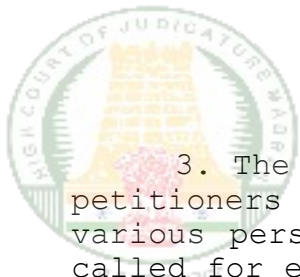
For Respondent : MR.A.DAMODARAN, Additional Public Prosecutor,

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

ORDER : The Court Made the following order :-

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 36-E of the Tamil Nadu Forest Act, 1882 in Crime No. not known of 2022, seek anticipatory bail.

2. The case of the prosecution is that the respondent police have seized a vehicle which was parked for more than three days in the same place. After inspection, it was found that Red Sandal Woods were present in the vehicle, weighing about One Ton. The said vehicle is registered in Uttar Pradesh. On investigation, the respondent police found that there were frequent calls from the petitioners' phone number. Therefore, for enquiry they were issued notice.



3. The learned counsel for the petitioners would submit that the petitioners when they were waiting in the bus stand, had spoken to various persons and only on suspicion the petitioners now have been called for enquiry. It is stated that the petitioners have nothing to do with the said vehicle and the contraband seized by the respondent police. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that after inspection of the said vehicle, the respondent police found that Red Sandal Woods were present in the vehicle and after seizing the vehicle, as per the cell phone numbers present in the location, found that the petitioners had spoken with various persons during the occurrence. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the above fact and circumstances of the case , this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Kancheepuram, on condition that each of the petitioners 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 petitioners 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.

[b] the petitioners shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[e] 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]**.

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

-sd/-

19/05/2022

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 JUDICIAL MAGISTRATE,
NO.II, KANCHEEPURAM.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE FOREST RANGER OFFICER,
KANCHEEPURAM CIRCLE,
HAVING OFFICER AT RM9X+C54,
CHEYYAR KANCHIPURAM ROAD,
GEM NAGAR, KANCHIPURAM.

+1 CC to M/S.S.THIRUGNANAM Advocate on payment of necessary charges SR.NO.7502

CRL OP.11117/2022

Date :19/05/2022

TA-25/05/2022