



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twentieth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.12023 of 2022

1 VADIVEL [PETITIONERS / ACCUSED]
2 RAMADOSS
3 RAMKUMAR
4 RAMALINGAM
5 ALAGUMALAI
6 CHENNAKRISHNAN
7 SIVANESAN

Vs

STATE REP BY [RESPONDENT]
THE FOREST RANGE OFFICER,
THEERTHAMALAI FOREST RANGE,
DHARMAPURI DISTRICT.
WLOR NO.2/2022

For Petitioner : M/S.J.PRADEEP Advocate

For Respondent : M/S.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 21 (d) (h) of Forest Act 1882, Sections 92(2), 2(16C), 2(20), 39, 50, 51 of Wild Life Protection Act 1972, r/w.8-E of Indian Bison Act in WLOR No.02 of 2022, seek anticipatory bail.

2. The case of the prosecution is that all the accused persons were alleged to have in possession of Bison meat. Hence, the complaint has been registered by the respondent police.



3. The learned counsel appearing for the petitioners would submit that totally, there are 8 accused, in which, the 1st accused was already arrested and released on bail. He would submit that on the confession statement of A1, the petitioners are implicated as accused 2 to 8 and the bison meat was recovered only from the 1st accused. He would also submit that the petitioners are innocent persons and they have not committed any offences as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor appearing for respondent would submit that totally, there are 8 accused in this case and the petitioners are arrayed as A2 to A8. He further submitted that there is no previous case pending against the petitioners. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the above facts 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, Harur, Dharmapuri District on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 petitioners 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 absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-

20/05/2022

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,
HARUR, DHARMAPURI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
DHARMAPURI DISTRICT. [FOR INFORMATION]

3 THE FOREST RANGE OFFICER,
THEERTHAMALAI FOREST RANGE,
DHARMAPURI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.N.DESINGHU Advocate on payment of necessary charges
SR.NO. 7699

CRL OP.12023/2022

Date :20/05/2022

RW-25/05/2022