



Crl.O.P.No.31618 of 2022

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest for the alleged offences punishable under Section 9 of the Wildlife (Protection) Act r/w Section 51 of the Wildlife (Protection) Act, 1972 in W.L.R.No.2 of 2021 on the file of the respondent, seeks anticipatory bail.

2.It is the case of the prosecution that the petitioner/A4 along with three other accused, by using country made bomb, killed a wild boar and they tried to cut the meat into pieces. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court and hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner along with three other accused,



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by using country made bomb, killed a wild boar and while they were cutting the meat into pieces, the Forest Officials who were on patrol duty, seen the accused and arrested A2 and A3. Hence, he opposed for grant of anticipatory bail to the petitioner.

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

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned **Judicial Magistrate, Mettupalayam** on condition that the petitioner 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:



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[a] the petitioner 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 petitioner is directed to report before the respondent police on every Sunday at 10.30 a.m., for a period of eight (8) weeks;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner 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]**;



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

22.12.2022

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