



Crl.O.P.No.31897 of 2022

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**T.V.THAMILSELVI,J.**

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 21(d), (e), (h) of Tamil Nadu Forest Act 1882 and 2(16), 9(1), 39 r/w 51(1) of Wildlife Protection Act, 1972 in W.L.O.R.No.6 of 2022, seeks anticipatory bail.

2.The case of the prosecution as per the defacto complainant who is Forest Range Officer is that on 11.10.2022, he found the petitioner and two others were chopping the flesh of a deer. On seeing the police, the petitioner and his friend ran away from the scene of occurrence. Hence the case.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has nothing to do with the alleged offence. He would further submit that the petitioner is ready to abide by any stringed conditions imposed on him. Hence, he prays for grant of anticipatory bail to the petitioner.



4.The learned Government Advocate (Crl.Side) would submit that the petitioner is stated to have hunted the deer and tried to sell it. On seeing the police, the petitioner and other accused ran away from the scene of occurrence. The petitioner has two previous cases pending against him. Hence, he opposed for grant of anticipatory bail to the petitioner.

5.Heard the learned counsel for the petitioners as well as the learned Government Advocate (crl.side) for the respondent and perused the entire materials available on record.

6.Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel, this Court is inclined to grant anticipatory bail to the petitioner.

7.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned**



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**Judicial Magistrate, Gudiyatham, Vellore District**, on condition that each of 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:

[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 shall file an affidavit before the Trial Court that he will not hunt deer in future, at the time of furnishing sureties.

[c] the petitioner shall report before the respondent Police every Wednesday and Sunday at 10.30 a.m., until further orders.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.



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[e] the petitioner shall not abscond either during investigation or trial.

[f] 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]**.

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

**23.12.2022**

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