



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 14/09/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD).No.13451 of 2022

Seenivasan

... Petitioner/Accused No.4

Vs

The State represented by
Forest Range Officer
Bodinayakanur Forest Range,
Bodinayakanur.
(WLOR No.01 of 2022)

... Respondent/Complainant

For Petitioner : M/s.M.Kaliraj, Advocate.

For Respondent : Mr.M.Muthumanikkam
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in WLOR No. 01 of 2022 on the file of the
Respondent Police.

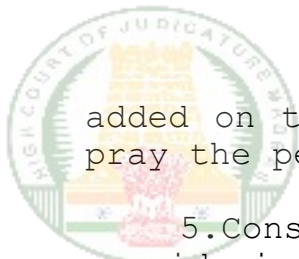
ORDER : The Court made the following order :-

The petitioner/Accused No.4, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 9, 39(1)(b)(d) read with Section 51(1) of Wild Life (Protection) Act, 1972, in WLOR No.1 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner/accused No.4 and other accused have hunted Sambar Deer and A1 and A2 were in illegal possession of 40 kgs of meat in two bags. On confession of A1 and A2, this petitioner has been impleaded in this case.

3.The learned counsel for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution. He has been falsely implicated in this case on the confession of accused 1 and 2. Two bags of meat was recovered from the accused 1 and 2 in the place of occurrence and pray the petitioner to be released on anticipatory bail.

4.The learned Government Advocate(Crl.side) submitted that
<https://www.mca.gov.in/dis> four accused in this case. The petitioner's name has been



added on the confession statement given by accused Nos.1 and 2, and pray the petition to be dismissed.

5. Considering the facts and circumstances of this case, considering the nature of the offence and also considering the fact that the property has been recovered from the accused Nos.1 and 2, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, this petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Bodinayakanur, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions 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 report before the respondent police daily at 10.30 am, until further orders;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall be present before the Court on hearing dates and before the respondent police as and when required;

(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]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

14/09/2022

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1 THE JUDICIAL MAGISTRATE,
BODINAYAKANUR.

2 DO THROUGH:

THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT

3 THE FOREST RANGE OFFICER
BODINAYAKANUR FOREST RANGE,
BODINAYAKANUR.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.KALIRAJ, Advocate (SR-10076[I] dated 15/09/2022)

ORDER

IN

CRL OP(MD) No.13451 of 2022

Date :14/09/2022

pnn

PKP/SVR/SAR-1/20.09.2022/3P/6C