



WEB COPY

CRL OP(MD). A



22

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/11/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.20011 of 2022

Jahir Hussain,

... Petitioner/Accused No.1

Vs

State Rep.by
The Forest Ranger,
Keelakarai Forest Range,
Ramanathapuram District.
(W.L.O.R.No.9/2022)

... Respondent/Complainant

For Petitioner : M/s.Mohamed Aslam.M.U, Advocate
for M/s.Ajmal Associates,

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

To enlarge the petitioner on bail in W.L.O.R.No.9/2022 on the file of the 1st Respondent Police.

ORDER : The Court made the following order :-

The petitioner/1st Accused, who was arrested and remanded to judicial custody on 29.10.2022 for the offences punishable under Sections 2(1), 9, 39(1)(a), 39(3)(a)(b)(c), 49A schedule 1 Part IV-C of Wild Life Protection Act, 1972, in W.L.O.R.No.9 of 2022 on the file of the respondent police, seeks bail.

(offences are amended vide court order dated 18.11.2022 made in Crl.M.P(MD) No.14077 of 2022)

2.The case of the prosecution is that the petitioner and other accused have illegally possessed 7 kgs of Sea Cucumber and exporting the said Sea Cucumber to other countries. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he did not commit any offence as



alleged by the prosecution. He would further submit the petitioner is in judicial custody from 29.10.2022. Hence, he may be granted bail.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that the petitioner and other accused illegally possessed 7 kgs of prohibited sea cucumber worth about Rs.50,000/-. He would further submit that the properties have been recovered and the petitioner is the habitual offender and he is having some previous cases. Further, investigation is still pending. If the petitioner is released on bail, he would abscond and also he will tamper the witnesses and hamper the evidence. Hence, he opposed for grant of bail to the petitioner.

5. Considering the seriousness and gravity of the offence committed by the petitioner, bad antecedents of the petitioner and the objection raised by the Prosecution and also the fact that the investigation is still pending, this Court is not inclined to grant bail to the petitioner.

6.Accordingly, this Criminal Original Petition is closed.

sd/-

18/11/2022

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/11/2022

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

TO

- 1 THE OFFICER INCHARGE
SUB JAIL RAMANATHAPURAM.
- 2 THE FOREST RANGER
KEELAKARAI FOREST RANGE,
RAMANATHAPURAM DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.AJMAL ASSOCIATES Advocate SR.No.56204(F)

ORDER

IN

CRL OP(MD) No.20011 of 2022

Date :18/11/2022

cp

<https://www.courtscop.in/cases/CP/18/11/2022/2P/5C>