



Crl.O.P.No.9047 of 2023

Crl.O.P.No.9047 of 2023

A.D.JAGADISH CHANDIRA, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 16, 20, 33, 35, 36, 9, 39, 44, 50, 50(1-b), 50(1-C), 50(1-II), 56 and 57 of Wildlife Protection Act, 1972 in Crime No.WLOR No.1 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners hunted a deer and had taken the meat. On seeing the respondent police, they left the deer meat and ran away from the scene of occurrence. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that the other accused had sold the meat stating it was mutton. Believing the same, they received it and later found came to know it was deer meat. Hence, he prays for grant of anticipatory bail to the petitioner.



Crl.O.P.No.9047 of 2023

WEB COPY

4. The learned Government Advocate (Criminal Side) for the respondent would submit that the petitioners hunted a deer and had taken the meat. He would further submit that there is no previous cases pending as against the petitioners. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. At this juncture, the learned counsel for the petitioners would submit that without prejudice to his contention and defence, the petitioner is ready and willing to deposit an amount of Rs.15,000/- each to any welfare scheme run by the Government.

6. Heard both sides and perused the materials available on record.

7. Taking into consideration the voluntary submission made by the learned counsel for the petitioners, the petitioners are directed to deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) each to the credit of Gulf of



Crl.O.P.No.9047 of 2023

Mannar, Biosphere Reserve Trust (State Bank of India, Ramnad Branch, A/c No.33658054216, IFSC Code: SBIN0000908), without prejudice to his rights and contentions before the trial Court.

8. Merely, because the petitioners deposits the said amount, it would not amount to admission of his guilt. Therefore, it is open to the trial Court to deal with the case independently.

9. Taking into consideration the facts and circumstances of the case, the submissions made on both sides and also taking note of the fact that the petitioners have come forward to deposit an amount of Rs.15,000/- each to **the Gulf of Mannar, Biosphere Reserve Trust (State Bank of India, Ramnad Branch, A/c No.33658054216, IFSC Code: SBIN0000908)**, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

10. Accordingly, the petitioners are directed to deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) each directly to the Gulf of Mannar, Biosphere Reserve Trust (State Bank of India, Ramnad Branch, A/c



Crl.O.P.No.9047 of 2023

No.33658054216, IFSC Code: SBIN0000908) and on such deposit and on

receipt of proof of payment, 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, Kallakuruchi**, on condition that the petitioners shall execute a separate bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 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 deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) each directly to **the Gulf of Mannar, Biosphere Reserve**



Crl.O.P.No.9047 of 2023

Trust (State Bank of India, Ramnad Branch, A/c No.33658054216, IFSC Code: SBIN0000908), to enable the Dean to use the aforesaid amount for the purpose of treating the alcohol influenced patients.

[c] the petitioners shall report before the respondent police everyday at 10.30 a.m., until further orders.

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

[e] the petitioners 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]**.



WEB COPY



Crl.O.P.No.9047 of 2023

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

08.06.2023

jas

Note: Issue Order Copy on 12.06.2023



WEB COPY



Crl.O.P.No.9047 of 2023

A.D.JAGADISH CHANDIRA, J.

jas

Crl.O.P.No.9047 of 2023

08.06.2023