



Crl.O.P.No.14471 of 2023

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A.D.JAGADISH CHANDIRA,J.

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 21(d)(h) Tamil Nadu Forest Act 1882, Section 9, 50 and 51 of Wild Life Protection Act 1972 and Section 25(1-A) Indian Arms Act 1959 in WLOR No.6 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner has entered into the reserved forest with country gun and on seeing the respondent police, he ran away from the scene of occurrence. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would also submit that without prejudice, the petitioner is prepared to deposit a sum of Rs.5,000/- to any Welfare Scheme of the Government and hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) would submit that petitioner has entered into the reserved forest with country gun and on seeing the respondent police, he ran away from the scene of occurrence. He further submitted that there is no previous case pending against the petitioner. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and learned Government Advocate (Crl. Side) and perused the materials available on record including the FIR.

6. Taking into consideration the facts and circumstances of the case and also the submissions made on both sides and also taking note of the fact that the petitioner has come forward to deposit an amount of Rs.5,000/- to any welfare scheme of the Government, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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7. Accordingly, the petitioner shall make a non-refundable deposit of a sum of Rs.5,000/- (Rupees Five Thousand only), directly to the **Gulf of Mannar, Biosphere Reserve Trust [State Bank of India, Ramnad Branch, A/c No.33658054216, IFSC Code: SBIN0000908]** and on such deposit and production of proof, 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 Judicial Magistrate No.I, Vellore**, on condition that the petitioners shall execute separate bonds for a sum of **Rs.10,000/- (Rupees Ten Thousand only) each** 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 report before the respondent police everyday at 10.30 a.m., until further orders.



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[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]**.

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

28.06.2023

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