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CrI.OP.No.14558 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :10.07.2023

CORAM

THE HON'BLE MR. JUSTICE **G.CHANDRASEKHARAN**

CrI.OP.No.14558 of 2023

Sudhakar

..Petitioner

Vs.

State Rep by its,
The Forest Ranger,
Vellore Forest Ranger Offie,
Vellore Distrit.
W.L.O.R.No.06 of 2023

...Respondent.

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail pending investigation in W.L.O.R.N.06 of 2023 on the file of the Forest Ranger Officer, Vellore F.R.O, Vellore District.

For Petitioner : M/s.G.Vinodkumar

For Respondent : Mr. Leonard Arul Joseph Selvam
Government Advocate (CrI. Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 09.06.2023 for the offence punishable under Sections 21(d)(h) Tamil Nadu Forest Act, 1882, Section 9, 50, 51 of Wild Animal Act, 1972 read with Section 25(1-A) Arms Act, 1959 in W.L.O.R.No.06 of 2023 on the file of the respondent police seeks bail.

2. The learned counsel for the petitioner submitted that, petitioner is an accused in W.L.O.R.No.06 of 2023 registered for the offences under Sections 21(d)(h) Tamil Nadu Forest Act, 1882, Section 9, 50, 51 of Wild Animal Act, 1972 read with Section 25(1-A) Arms Act, 1959. Petitioner is in Judicial Custody from 09.06.2023. He further submitted that, co-accused in this case were granted bail by this Court in Crl.O.P.No.14471 of 2023. Thus, he seeks for bail.

3. In response, learned Government Advocate (Crl. Side) submitted that, petitioner was found in illegal possession of 9 county made guns for hunting purpose. Therefore, petitioner was arrested and the guns were seized from the petitioner. He further submitted that, investigation in this case is pending.



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4. Considering the fact that nine country made guns were seized from the petitioner, there is no previous case pending against the petitioner and he is in Judicial Custody from 09.06.2023 and also the fact that co-accused in this case were granted anticipatory bail by this Court, this Court is inclined to grant bail to the petitioner.

5. Accordingly, the petitioner is ordered to be released on bail on his executing a 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 **Judicial Magistrate -I, Vellore** and on further conditions that :-

[a] 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 twice daily at 10.30.a.m., and 05.30.p.m., until further orders.



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

[d] the petitioner shall not tamper with evidence or witness 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.

10.07.2023

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To

1. Judicial Magistrate No.I,
Vellore.
- 2.The Forest Ranger,
Vellore Forest Ranger Offie,
Vellore Distrit.
3. Central Prison,
Vellore.
- 4.The Public Prosecutor,
High Court of Madras



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G.CHANDRASEKHARAN. J.

Sma

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