



Crl.O.P.No.16853 of 2023

Crl.O.P.No.16853 of 2023

G.CHANDRASEKHARAN. J.

The petitioners who apprehends arrest at the hands of the respondent for the alleged offence under Sections 2, 9, 39, 50, 51(1), 52 of Wild Life Protection Act, 1972, r/w Section 21 (d) (h) of Tamil Nadu Forest Act, in WLOR No.03 of 2023, on the file of the respondent, seek anticipatory bail.

2.Learned counsel for the petitioners submitted that petitioners have been falsely implicated in WLOR No.03 of 2023, for the alleged offence under Sections 2, 9, 39, 50, 51(1), 52 of Wild Life Protection Act, 1972, r/w Section 21(d) (h) of Tamil Nadu Forest Act. Therefore, he seeks anticipatory bail for the petitioners.

3. In response, the learned Government Advocate (Crl.Side) submitted that first petitioner had hunted Wild Cat and he along with other accused cooked the meat and ate it. Second petitioner had also eaten the meat of the Wild Cat. He further submitted that first petitioner has two forest offence cases registered against him.



Crl.O.P.No.16853 of 2023

WEB COPY

4. When it was informed that the first petitioner has two forest offence cases pending against him, the learned counsel for the petitioners sought permission of this Court to withdraw this petition as against the first petitioner. Permission granted and this petition is dismissed as withdrawn as against the first petitioner.

5. Considering the allegation against the second petitioner that he had only eaten the Wild Cat meat, this Court is of the view that custodial interrogation of the second petitioner is not necessary and this Court is inclined to grant anticipatory bail to the second petitioner. Therefore, the second 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, Harur, Dharmapuri**, on condition that the second petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing



Crl.O.P.No.16853 of 2023

which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the second 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 second petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders;

[c] the second petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the second 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 second petitioner in accordance with law as if the conditions have been imposed and the second petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the



WEB COPY



Crl.O.P.No.16853 of 2023

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.

6.Accordingly, this Criminal Original Petition is allowed as
against the second petitioner and dismissed as withdrawn as against the
first petitioner.

02.08.2023

sli



WEB COPY



Crl.O.P.No.16853 of 2023

G.CHANDRASEKHARAN. J.

sli

Crl.O.P.No.16853 of 2023

02.08.2023