



CrI.OP.No.17534 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.08.2023

CORAM

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

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Karthi @ Karthika @ Karthikeyan

...Petitioner

Vs.

The State Rep by its
The Inspector of Police/The Forest Ranger Officer,
Vaniyambadi Forest Ranger Officer,
Vaniyambadi, Thirupathur District.
(WLOR.No.2 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 WLOR
No.2 of 2023 on the file of Inspector of Police, Vaniyambadi Forest
Ranger Officer, Thirupathur District.

For Petitioner : Mr.G.Vinodhkumar

For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 14.06.2023 for the offences punishable under Section 9, 39, 49 (B) of Wildlife Protection Act, in WLOR No.2 of 2023 on the file of the respondent police, seeks bail.

2.The learned counsel for the petitioner submitted that petitioner is falsely implicated as an accused in WLOR No.2 of 2023 for the offences under Section 9, 39, 49 (B) of Wildlife Protection Act. He is in judicial custody from 14.06.2023. Therefore, he prays for grant of bail to the petitioner.

3.In response, the learned Additional Public Prosecutor submitted that petitioner was found in illegal possession of 5 quills of porcupine. He had no license for the possession of quills. Petitioner has no similar previous case against him.

4.Considered the rival submissions and perused the records.



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5.Considering the nature of the allegation made against the petitioner and that 5 quills of porcupine was seized and that petitioner is in judicial custody from 14.06.2023, and that substantial part of investigation in this case might have been completed, this Court is inclined to grant bail to the petitioner with conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/-** (Rupees Ten Thousand only) with **two sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate, Vaniyambadi**, 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 daily at 10.00.a.m., until further orders.

[c] the petitioner shall not abscond either during



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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.

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To

- 1.The Judicial Magistrate, Vaniyambadi
- 2.The Inspector of Police/The Forest Ranger Officer,
Vaniyambadi Forest Ranger Officer,
Vaniyambadi, Thirupathur District.
- 3.Central Prison, Vellore.
- 4.The Public Prosecutor,
High Court of Madras



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G.CHANDRASEKHARAN. J.

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