



Crl.O.P.No.24726 of 2022

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**T.V.THAMILSELVI, J.**

The petitioners, who apprehend arrest for the alleged offence under Sections 9, 2(16), 39, 50,51 of Wildlife Protection Act 1972 in Wildlife Offence Report No.2 of 2022, on the file of the respondent police, seek anticipatory bail.

2.2.The case of the prosecution is that the video was forwarded in the Social Media, wherein a Snake was found to have tortured. Since the wild animal comes under schedule (II), Part II of Wildlife Protection Act, 1972, a case came to be registered.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and the whole prosecution story is totally false, he is an innocent person and the case has been foisted on him.

4.The learned Government Advocate (Crl. Side) would submit that the



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said complaint given by the Forest Range Officer, Kangayam received an information from the Deputy Director of Annamalai Tiger Reserve, Pollachi Division, the case came to be registered. The learned Government Advocate (Crl. Side) would submit that on enquiry it was found that the petitioner has tortured the snake namely king Cobra and uploaded the Social Media. Hence, he vehemently opposed to grant of anticipatory bail to the petitioner.

5. Considering the fact, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, Dharapuram**, on condition that the petitioners shall execute a bond 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 and on further condition that:



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(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned 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 every Wednesday at 10.30 a.m. for a period of four weeks and thereafter, as and when required for interrogation;**

(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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]***; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

**02.01.2023**

*vsn*

**T.V.THAMILSELVI, J.**

*vsn*



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