



Crl.O.P.No.23035 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner herein seeks anticipatory bail in S.T.O.P.No.3 of 2023 registered by the respondent Police for the offence under Sections 41(1), 49(A)(1), 56, 56(E) of Tamil Nadu Forest Act 1882 and Sections 2(4), 3, 4, 5(1) (a & b) and 6(a) of Tamil Nadu Rosewood Trees (Conservation) Act 1994 Act No.1 of 1995.

2. The learned counsel for the petitioner stated that he has been falsely implicated as an accused in this case. He further stated that the petitioner is a adjacent land owner. He is innocent. Thus, he seeks bail to the petitioner.

3. The learned Government Advocate (Criminal side) states that the petitioner and three other were found cutting trees in the reserve forest at Pungampattu Nadu. It is seen that they had tried to cut rose wood trees. The respondent, tried to secure the accused persons, but they ran way. Thus, he prays for dismissal of this petition.



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4. Taking into consideration the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. It is also made obligation that the petitioner may disclose the name and address of the other accused. If he doesn't, the respondent are at liberty to file petition for cancellation of anticipatory bail.

5. Accordingly, 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.II, Thiruppathur**, on condition that the 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 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.



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[b] the petitioner shall report before the respondent Police, daily at 10.30 a.m., for a period of two 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 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;

17.10.2023

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