



Crl.O.P.No.23447 of 2023

WEB COPY

Crl.O.P.No.23447 of 2023

C.V.KARTHIKEYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Section 379 IPC @ 379, 120B and 420 of IPC in Crime No.65 of 2022, seeks anticipatory bail.

2. The petitioner is not named in the First Information Report. It is stated that the petitioner is working as Senior Technician in ICAR-IISWC Research Centre at Ooty. It is stated that the Principal Scientist of ICAR and Assistant Scientist had gone to the forest on 22.09.2022 at about 02.30 p.m., and found persons cutting the trees and transporting them in lorries. A complaint had been lodged, necessitating registration of the First Information Report under Section 379 of IPC @ 379, 120-B and 420 of IPC in Crime No. 65 of 2022.

3. The learned counsel states that the first accused, who is the contractor, who had been given lease to cut down trees had additionally cut 250 live trees. The learned counsel stated that the first accused had been granted anticipatory bail by the learned Principal Sessions Judge at Udthagamandalam in Crl.M.P.No. 1125 of 2022 by an order dated 14.10.2022. It is stated that the petitioner herein is therefore not responsible.

4. However, it is seen that the petitioner was working as Senior Technician in ICAR-ISSWC Research Centre and he is the guardian of



Crl.O.P.No.23447 of 2023

WEB COPY

the said forest. He had permitted the other accused to cut away 250 live trees and also to transport them. Therefore, at this stage, I am not inclined to grant anticipatory bail to the petitioner even though the name of the petitioner is not found in the First Information Report. Accordingly, this Criminal Original Petition stands dismissed.

5. Registry is directed to call for explanation from the Then Sessions Judge, Udthagamandalam, who had granted anticipatory bail to the accused M.Abbas, s/o. K.K.Meeran Kutty, D.No. 4.92, Selas, Hulical, Katery, The Nilgiris – 643 213 in Crl.M.P.No. 1125 of 2022 to give an explanation as to the matters considered for grant of anticipatory bail when it had been very clearly observed that 250 live trees had been cut down without permission and that the investigation was still under progress.

6. The explanation to be forwarded to this Court by 09.11.2023.

7. Even though anticipatory bail stands dismissed, list the matter on 09.11.2023 to put up the explanation by the Sessions Judge, Udthagamandalam.

17.10.2023

vsg

Note:

Registry is directed to call for explanation from the Then Sessions Judge, Udthagamandalam, on or before 09.11.2023.

1/3



WEB COPY



Crl.O.P.No.23447 of 2023

C.V.KARTHIKEYAN, J.

vsg

Crl.O.P.No.23447 of 2023

17.10.2023