



Crl.O.P.No.25880 of 2023

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WEB COPY **C.V.KARTHIKEYAN, J.**

The petitioner seeks anticipatory bail in O.R.No.183 of 2023, registered under Sections 21 (a) (b) (d) (e) (g) (i) of Tamil Nadu Forest Act, 1882.

2.One of the contention raised by the learned counsel for the petitioner is that A1 had been arrested and granted bail by the learned Judicial Magistrate, Polur, in Crl.M.P.No.6298 of 2023, by an order dated 20.10.2023. A perusal of the order of learned Judicial Magistrate shows that though the Additional Public Prosecutor had stated that investigation is at preliminary stage, without any reference, the learned Judicial Magistrate had stated that investigation has been practically completed. I am not able to understand as to how that particular conclusion was reached. A status report has been filed by the Forest Range Officer and along with that, the Map for the area had also been produced and it reveals that substantial portions of the reserved forest area have been encroached upon and the trees had been cut away and utilised by the petitioner as if it is his own land. Investigation will have to



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be done and such encroachment will have to be removed. The petitioner will have to compensate for the trees which had been cut down and the lands which had been encroached. All this aspects will have to be investigated by the respondent.

3.In view of all these aspects, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed.

01.12.2023

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C.V.KARTHIKEYAN, J.



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