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CRL OP(MD)



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28.04.2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD)No.8287 of 2023

Manikandan

... Petitioner/Accused No.2

Vs

State Rep by
The Inspector of Police,
Devathanapatti FRO,
Theni District.
In WLOR NO.1/2023

... Respondent/Complainant

For Petitioner : Mr.R.Maheswaran,Advocate

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor(Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

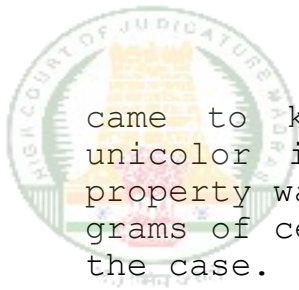
For Anticipatory Bail in WLOR.No.1 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 2(2), 2(16), 2(35), 2(36), 9, 39(1)(a)(b)(d), 44, 48A, 49, 50, 51 and 57 of the Wild Life Protection Act 1972 in WLOR.No.1 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is a Forest Ranger. On 19.04.2023, a team headed by him, were in surveillance at Devathanapatti. At that time, they found that the accused persons have selling meat to one Devanathan, suspected the situation, the defacto complainant went towards the accused persons. On seeing the defacto complainant, the accused persons ran away from the place by leaving their two wheelers and meat. On enquiry, it

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came to know that the accused persons have hunted the cervus unicolor in a patta land belongs to one Premkumar. The said property was leased out to A1. The defacto complainant seized 3.100 grams of cervus unicolor meat, two wheeler and 3 cell phones. Hence, the case.

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3. Heard both sides and perused the materials available in the record.

4. It is seen that there are totally 3 accused, in which, the petitioner is arrayed as A2. Based on the confession statement, the petitioner has been implicated as an accused. A1 and A3 were arrested and they are still in custody. According to the case of the prosecution, the petitioner after seeing authorities, ran away from the scene of occurrence and the authorities seized 3.1 kgs of cervus unicolor meat from the accused's vehicle. Hence, custodial interrogation of the petitioner is very much required in this case. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is dismissed.

sd/-
28/04/2023

/ TRUE COPY /

/05/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS

TO

- 1 THE INSPECTOR OF POLICE
DEVATHANAPATTI FRO, THENI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.8287 of 2023
Date :28/04/2023

PKP/CG/SAR- /30.05.2023/ **2P/3C**