



No.3



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 17/05/2023

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD). Nos.8810, 8690 and 8490 of 2023

- | | |
|------------------------------------|---|
| 1.Abil | ... Petitioner/Accused No.3
in Crl.O.P.(MD)No.8810 of 2023 |
| 2.Duraisamy | ... Petitioner/Accused No.2
in Crl.O.P.(MD)No.8690 of 2023 |
| 3. Anandha Prasath @ Krishnamoothi | |
| 4. Anbarasan | |
| 5. Manikandan | ... Petitioners/Accused No.6 to 8
in Crl.O.P.(MD)No.8490 of 2023 |

Vs

State through
The Inspector of Police,
The Forest Ranger Officer,
Trichy District.
Wlor.No.8 of 2023.

... Respondent/Complainant
in all petitions

For Petitioner (in Crl.O.P.(MD)Nos.8810
and 8690 of 2023) : M/s.Jameelarasu B,
Advocate.

For Petitioner (in Crl.O.P.(MD)No.8490 of 2023)
: Mr.S.M.A.Jinnah
Advocate.

For Respondent (in all petitions)
: Mr.R.Sivakumar,
Government Advocate (Crl.Side)

PETITIONS FOR BAIL Under Sec.439 of Cr.P.C.

COMMON PRAYER :-

To release the Petitioners on bail in connection with the
WLOR.No.8 of 2023.



COMMON ORDER : The Court made the following order :-

The petitioners/A3, A2 and A6 to A8, who were arrested and remanded to judicial custody on 06.04.2023 for the offences punishable under Sections 2(2), 39(B), 44, 49(B), 50 and 51 of Wild Life Protection Act in WLOR No.8 of 2023 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the petitioners along with the other accused were found in illegal possession of tiger skin 1, ivory 2, deer antler 2 and fox tail 2 for sale. Hence, the case.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocents and they have been falsely implicated in this case, hence, he prayed for bail.

4.The learned Government Advocate (Crl.Side) appearing for the respondent raised objection stating that the petitioners along with other accused were found in illegal possession of tiger skin 1, ivory 2, deer antler 2 and fox tail 2 for sale. The petitioners are having no previous case. Investigation almost completed.

5.Considering the facts and circumstances of the case and also the facts that the investigation almost completed and that the petitioners are having no previous case and also considering the period of incarceration, this court is inclined to grant bail to the petitioners subject to the following conditions:

[a] Accordingly, the petitioners are ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties (of which, one shall be a blood related surety) each for a like sum to the satisfaction of the learned District Munsif cum Judicial Magistrate Court, Srirangam, Tiruchirappalli, and on further conditions that:

[b] 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.

[c] the petitioners shall report before the respondent police every Sunday at 10.30 A.M., for a period of three months and thereafter, as and when required for interrogation;

[d] the petitioners shall not commit any offences of similar nature.

[e] the petitioners shall not abscond either during investigation or trial.



No.3



2f.

[f] the petitioners shall not tamper with evidence or either during investigation or trial.

[g] On breach of any of the aforesaid conditions, the learned Judicial 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].

[h] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-

17/05/2023

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17/05/2023

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

SJI

TO

1. The District Munsif cum Judicial Magistrate Court,
Srirangam, Tiruchirappalli.
 2. Do-Through The Chief Judicial Magistrate,
Trichy District.
 3. The Superintendent, Central Prison, Trichy.
 4. The Inspector of Police,
The Forest Ranger Officer,
Trichy District.
 5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/S.S.M.A.JINNAH, Advocate, SR.No.7412(I)

ORDER

IN

CRL OP(MD) Nos.8810, 8690, and
8490 of 2023

Date : 17/05/2023

NA/MMS/SAR- /17.05.2023/3P/7C

<https://www.mhc.tn.gov.in/judis>