



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

Date : 22.06.2023

PRESENT

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

CRL OP(MD)No.11169 of 2023

Vengai

... Petitioner/Accused No.6

Vs

State Rep by
The Forest Range Officer,
Rajapalayam Forest Range,
Rajapalayam,
Virudhunagar District.
(W.L.O.R.No.02 of 2023)

... Respondent/Complainant

For Petitioner : Mr.G.Bhagavath Singh,Advocate

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in W.L.O.R.No.02 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A6, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 21(d), (f), (h), 51 of the Tamil Nadu Forest Act V Section and Sections 2, 9, 27, 29, 31, 32, 39, 50, 51 of the Wildlife Protection Act, 1972 and Section 24(1-A) of the Arms Act in W.L.O.R.No.02 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 17.04.2023, at about 08.30 am., when the defacto complainant, who is wildlife conservator, along with forest officials went to dog farm belonged to one Pon Ilangovan, they found that the accused persons with wild animal meat. On seeing them, the petitioner herein ran away from the place of occurrence and the officials caught other accused persons. On search it was found that the accused persons were hunted and ate wild animals and left two country gun, 16 empty bullets, 6 bullets, 5 sickles, 2 head lights and wild animal meat.

<https://www.mca.gov.in/cases>



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

4. Considering the facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioner with certain conditions:

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, Rajapalayam, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten 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.

[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.

sd/-
22/06/2023

/ TRUE COPY /

/07/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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- 1 THE JUDICIAL MAGISTRATE,
RAJAPALAYAM.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.
- 3 THE FOREST RANGE OFFICER
RAJAPALAYAM FOREST RANGE,
RAJAPALAYAM,
VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.G.BHAGAVATH SINGH, Advocate (SR-9347[I] dated 22/06/2023)

ORDER
IN
CRL OP(MD) No.11169 of 2023
Date :22/06/2023

PKP/BUC/SAR- /04.07.2023/ **3P/6C**