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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15083 of 2023

M.Muthuraj

... Petitioner / Accused No.1

Vs

State represented by
The Forest Range Officer,
Srivilliputhur Forest Range Office,
Viruthunagar District
(WLOR No.12 of 2023).

... Respondent/Complainant

For Petitioner : M/s.T.Indrachithu
Advocate.

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in WLOR No.12 of 2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/ Accused apprehends arrest at the hands of the respondent

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police for the offences under Sections V(1),12(14)(16)(A)(B)(C), 35, 36, 37 Rule V Section 11, 7 and Article V Section 19(1)(d), Section 9, Section 51(1) of Wild Life Protection Act, in WLOR No.12 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 20.07.2023, at about 10.30 a.m., the complainant namely Forest Ranger, along with his team, went in search in the house of the second accused namely Mahendran. On search they found 2.50 Kgs meat of Mila which is a scheduled animal. Apart from that 800 grams of Pig was also recovered. The remains of Mila was also recovered. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent, he has been falsely implicated in this case and he has not committed any offence as alleged by the prosecution.

4. Learned Government Advocate (Crl.side) would submit that during enquiry it was disclosed that the house belongs to the accused. One Muthuraj brought the said meat and other remains by hunting. On the basis of the said occurrence, report was submitted over which the present case has been registered.



5. Learned counsel for the petitioner submitted that this petition for anticipatory bail has been filed on the ground that no recovery has been made from this petitioner. Only on the basis of the statement of the co-accused, the petitioner has been wrongly implicated in this case.

6. Learned Additional Public Prosecutor submitted that heavy quantity of remains of the scheduled animal meat and other things have been recovered from the house of the second accused. During the course of enquiry only, the involvement of this petitioner came to light.

7. Considering the facts and circumstances of this case and the grievous nature of offence committed by the accused, learned Additional Public Prosecutor makes strong objection.

8. Whether the petitioner is involved in the hunting or not is a matter for investigation. No doubt, that the second accused has given a statement implicating this petitioner stating that he only brought the meat and other remains by hunting. Therefore, this Court is not inclined to grant relief to the petitioner.



9. Accordingly, this Criminal Original Petition is dismissed.

sd/-
25/09/2023

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/10/2023

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

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To

1.The Forest Range Officer,
Srivilliputhur Forest Range Office,
Viruthunagar District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.15083 of 2023

Date :25/09/2023

SSA/JGB/14.10.2023/4P/3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023