



CRL OP(MD). No.17638 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/10/2023

PRESENT

The Hon`ble Mr.Justice V.SIVAGNANAM

CRL OP(MD). No.17638 of 2023

M.Karthickraja

... Petitioner/ Accused No.1

Vs

The State rep.by
The Forest Ranger,
Forest Range Office,
Srivilliputhur, Virudhunagar District
(In W.L.O.R. No.14/2023).

... Respondent/ Complainant

For Petitioner : Mr.N.MARIMUTHU, Advocate.

For Respondent : Mr.RMS.SETHURAMAN, Additional Public Prosecutor

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

PRAYER :- For Bail in W.L.O.R. No.14/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who was arrayed accused No.1, was arrested and remanded to judicial custody on on 24.08.2023 for the alleged offence punishable under Section Chapter I Sections 2(14) (6(a)(b)(c), 35, 36, 37, Chapter III Section 9, Chapter V Section 39(1)(d), Chapter VI Section 51(d) of wild Life Protection Act, 1972, in W.L.O.R. No.14/2023, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 24.08.2023, the petitioner and other accused have entered into the forest and hunting the pid by way of blasting the



CRL OP(MD). No.17638 of 2023

bombs. On seeing the respondent, the accused persons were escaped from the occurrence place and the respondent have seized country bombs and the forest pig with broken mouth recovered from the place of occurrence. Hence, the complaint.

3. The learned counsel appearing for the petitioner would contend that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution and hence, seeks bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would strongly object to grant bail to the petitioner on the ground that if the petitioner is released on bail, he would indulge in similar types of offences again.

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to 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 learned Judicial Magistrate No.II, Srivilliputhur, 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



CRL OP(MD). No.17638 of 2023

Book to ensure their identity.

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[c] the petitioner shall report before the respondent police as and when required for interrogation

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

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

[f] the petitioner shall not tamper with evidence or witness 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 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].

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

sd/-
04/10/2023

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04/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS
TO

1. THE JUDICIAL MAGISTRATE NO.II, SRIVILLIPUTHUR.

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



CRL OP(MD). No.17638 of 2023

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE OFFICER INCHARGE,
DISTRICT JAIL, VIRUDHUNAGAR.

4 THE FOREST RANGER,
FOREST RANGE OFFICE,
SRIVILLIPUTHUR, VIRUDHUNAGAR DISTRICT

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.17638 of 2023
Date :04/10/2023

SA/SAR. /04.10.2023/4P/6C

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