



CRL OP(MD). No.22139 of 2023

WEB COPY

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

Date : 11/12/2023

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM

CRL OP(MD). No.22139 of 2023

1. Syed Ambiya
2. Peer Mohamed

... Petitioners / Accused No.2 & 3

Vs

The Forest Range Officer,
Kadayanallur Office,
Tenkasi District.
(In Wlor No.15 of 2023).

... Respondent/Complainant

For Petitioners : M/s.Lawrance.J., Advocate.
For Respondent : Mr.RMS.Sethuraman,
Additional Public Prosecutor

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

PRAYER :-

To enlarge the petitioners on bail in connection with the Criminal case in WLOR no.15 of 2023 on the file of the Respondent Police and pass such other orders as this Honble Court may deem fit.

ORDER : The Court made the following order :-

The petitioners / accused, who arrayed as accused were arrested and remanded



CRL OP(MD). No.22139 of 2023

to judicial custody on 12.10.2023 for the offences under Sections 39(1)(b), 39(1)(9d), 45(A), 49(B), 50 and 57 of the Wild Life Protection Act, 1972 in WLOR.No.15 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that when the respondent police was in routine check up, the petitioners herein have illegally found in possession of two pieces of Ivory, a car and a cellphone and the same have been seized. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case. He would further submit that the petitioners are in judicial custody from 12.10.2023 and seeks bail.

4. The learned Additional Public appearing for the respondent would submit that the it is a second bail petition and the earlier petition filed by the petitioners was dismissed by this Court on 16.11.2023 in CrI.O.P(MD).No.20601 of 2023. He would further submit that the petitioners herein have illegally found in possession of two pieces of Ivory and a cellphone in car and the same have been seized and they have also helped to A1 and attempted to sell the same to the 4th accused and hence, he strongly opposed to grant bail to the petitioners.



CRL OP(MD). No.22139 of 2023

WEB COPY

5. Considering the facts and circumstances and also considering the serious nature of allegations made against these petitioners and that there is no change of circumstances after dismissal of the earlier petition, this Court is not inclined to grant bail to the petitioners.

6. Accordingly, this criminal Original Petition is dismissed.

sd/-
11/12/2023

/ TRUE COPY /

/01/2024
Sub-Assistant Registrar
(C.S.I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

To

1.The Forest Range Officer,
Kadayanallur Office,
Tenkasi District.

2.The Officer Incharge,
District Prison,
Tenkasi.

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

+1. CC to M/S.LAWRANCE.J. Advocate SR.No.55831(F), dated 12.12.2023



WEB COPY



CRL OP(MD). No.22139 of 2023

ORDER

IN

CRL OP(MD) No.22139 of 2023

Date :11/12/2023

ED/JGB /SAR- (03/01/2024) 4P / 5C

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