



Crl.O.P.No.2361 of 2024

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 35(B) (A), and 36(A) (E) of Tamil Nadu Forest Act, 1882 in STOR No.01 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that on 14.01.2024 at about 8.50 hours, the Forest Ranger officer received secret information about the illegal transport of sandal wood. After received information, he conducted a vehicle search along with his team and caught A1 to A3, while the other accused escaped from the scene of occurrence. After the enquiry, they found sandal woods and two knives. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case only based on the confession of the arrested accused. He further submits that he is ready to abide by any conditions that may be imposed by this Hon'ble



Court. Hence, he prays to grant anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that there was totally five accused in this case. A1 to A3 were arrested and released on bail. Based on the confession of the arrested accused, the petitioner herein was arrested. He further submits that the petitioner has one previous case pending against him. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioner.

5. Taking into consideration the facts of the case and the submissions made by the learned counsels, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the *learned Special Judicial Magistrate (Sandal wood cases), Tirupathur*, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only)



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with two sureties, 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 and on further condition that:

(a) the petitioner is directed to deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only)** to the credit of the **Advocate Clerk Association, Vellore**, within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below.

(b) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[c] **the petitioner shall report before the respondent police daily at 10.30 a.m, for a period of eight weeks;**

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

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



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[f] 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 has been imposed and the petitioner is 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]***; and;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

03.04.2024

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