



WEB COPY



Crl.O.P.No.5467 of 2024

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C.V.KARTHIKEYAN, J.

The petitioner / A3, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 21(d)(h) of Tamil Nadu Forest Act, 1882 r/w Section 9, 31, 50, 51 & 52 of Tamil Nadu Wild Life Protection Act, 1972 in FRO No.7 of 2023, seeks anticipatory bail.

2.It is stated that the A1, A2 and A3 went to Sathyamangalam Reserve Forest, wherein the respondent found all the three accused in a two wheeler. They had killed five deer and one wild boar and were carrying them in a two wheeler. A2 had been arrested and he has one previous case.

3.The learned counsel for the petitioner stated that A3 has no previous case and he is only a friend of A1.



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4.The learned Government Advocate (Crl. Side) appearing for the respondent submitted that all the three accused were present in the place of occurrence.

5.The earlier petition seeking anticipatory bail filed by this petitioner and by A1 had been dismissed on 08.02.2024. There is no previous case against the petitioner herein. Subsequently, A2 had been arrested and had been released on bail. That is the significant change in circumstance of the case.

6.Taking all these factors into consideration, this Court is inclined to grant anticipatory bail to the petitioner and with certain conditions:

7.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, Thandampattu, Tiruvannamalai District, 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



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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 everyday at 10.30 a.m., until further orders.

[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]**.

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

03.04.2024

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