



Crl.O.P.No.7837 of 2024

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C.V.KARTHIKEYAN, J.

The petitioner/A-6, who apprehends arrest at the hands of the respondent police for the offence punishable under Section 9 read with 51(1) of WLP Act and under Section 21(d)(h) read with Section 21(1) of the Tamilnadu Forest Act, in WLOR No. 03 of 2023, seeks anticipatory bail.

2. There are totally six accused. The accused Nos. 1 to 5 had been arrested. The learned counsel for the petitioner would submit that they had been granted bail by the Magistrate Court.

3. It is the case of the prosecution that during routine check up by the Forester at Gudalur, the accused Nos. 1 to 5 were arrested. They were using Mahindra Vehicle bearing Registration No. KL-14B-5351 and in a Innova Car bearing Registration No. KL-10-AV-7975.

4. It is the specific case of the petitioner that the petitioner was also present but managed to escape. It is further stated that in both the vehicles, special cavities had been put up to store hunted animals. The petitioner is the owner of Mahindra Vehicle bearing Registration No. KL-14B-5351.



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5. The learned counsel for the petitioner stated that the petitioner had no knowledge that the purpose for which the vehicle was used. However, having separate exclusive cabin and cavity for storing hunted animals would imply that the petitioner has knowledge for the purpose for which the vehicles were used by the other accused.

6. The earlier application seeking anticipatory bail was dismissed on 01.02.2024. It is stated that the co-accused had been arrested and granted bail. The petitioner had also given memo indicating the blood surety.

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

8. 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 PDM cum Judicial Magistrate, Gudalur, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties and one must be the blood sureties, each 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,



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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 daily 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]**.

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

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