



Crl.O.P.No.11071 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.05.2024

CORAM

THE HON'BLE MR. JUSTICE K. KUMARESH BABU

Crl.O.P.No.11071 of 2024

Umachandran

...Petitioner

Vs.

State represented by
FRO
Odugathur Range,
Vellore District.
(WLOR No.02/2024)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail pending investigation in WLOR No. 02 of 2024 on the file of the respondent police.

For petitioner : Mr.G.Nirmal Krishnan

For Respondent : Mr.S.Santhosh
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 03.04.2024 for the offences under Section 1882 Tamil Nadu Forest



Crl.O.P.No.11071 of 2024

WEB COPY

Act-V, Section 21(2)(h), 1972 Wild Animal Protection Act, Schedule-II, Para A, Section 9, 39, 49(b), 50, 51, 55 in WLOP No. 02 of 2024 seeks bail.

2. The case of the prosecution is that the petitioner is alleged to have hunted the spotted deer in the reserve forest and cooked the deer meat in his house. Also part of the meat was kept in his possession in the refrigerator. Hence the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he is no way connected with the offence as alleged by the prosecution. Hence, seeks bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that after completion of investigation, charge sheet has been filed and yet to be taken on file.

5. Taking into consideration the facts and circumstances and the



CrI.O.P.No.11071 of 2024

submissions made by the learned counsels, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail subject to the conditions 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 learned Judicial Magistrate No.III, Vellore and on further conditions that :-

[a] 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 Judicial Magistrate once in a week on every Monday at 10.30 a.m., until further orders.

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

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



WEB COPY



Crl.O.P.No.11071 of 2024

K. KUMARESH BABU. J.

rpl

[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.

08.05.2024

rpl

To

1.The Judicial Magistrate No.III, Vellore.

2. The Central Jail, Vellore.

3.The FRO,
Odugathur Range,
Vellore District.

4.The Public Prosecutor, High Court of Madras.

Crl.O.P.No.11071 of 2024