



Crl.O.P.No.12324 of 2024

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WEB C **C.SARAVANAN, J.**

The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections Part I Section 2(16), Part III Section 9, Part IV Sections 39, 50, 51 of Wild Life Protection Act (Amended Act 2006), Schedule II W.L.O.R. No.4 of 2024, seek anticipatory bail.

2. The petitioners belong to the same village, who apparently had hunted wild rabbit, which is a protected animal without permission of authorities. About 11 persons have been accused of having committed the offence in W.L.O.R. No. 4 of 2024. Two of the accused were detained while others tried to escape with the help of villagers during the temple festival in the village and now come before this court for anticipatory bail.

3. The learned Government Advocate (Criminal Side) appearing for respondent would submit that the petitioners are also accused in Crime No.76 of 2024 for various offences under Sec. 143, 294(b), 323 I.P.C.

4. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent Police and perused the materials available on record.



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5. Prima facie, it appears that the petitioners were involved in the alleged offence, for which they have been booked in W.L.O.R.No. 4 of 2024. Considering the facts and the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail subject to a condition that the petitioners shall cooperate with the respondent and they have to donate a sum of Rs.5,000/- each to the credit of Blue Cross, Chennai without prejudice to their defence.

6. Accordingly, the petitioners are directed to donate a sum of Rs.5,000/- (Rupees five thousand only) each to Blue Cross, Chennai and on production of proof for the same, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Attur, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



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[a] the petitioners 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 petitioners shall report before the respondent Police on every day basis at 10.30 a.m. for the period of two weeks and thereafter as and when required for interrogation;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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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