



CrI.O.P.No.12573 of 2024

T.V.THAMILSELVI, J.

WEB COPY

The petitioner, who apprehends arrest for the alleged offences punishable under Sections 9, r/w 2(16), Sections 39 and 51 of The Wild Life (Protection) Act, 1972 in W.L.O.R.No.4 of 2024 on the file of the respondent/police, seeks anticipatory bail.

2.It is the case of the prosecution that on 24.04.2024 at about 17.20 hours when the respondent officers team made search in the above said Chalivayal house in the presence of this petitioner's wife, they found elephant canine teeth and sandalwood bruises and other materials. Hence the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is a law abiding citizen and he is a well reputed person in his locality, hailing from a dignified family. He will not abscond or tamper the prosecution witnesses or evidences. He has clean antecedents and hails from a very respectable family. He has very good reputation and respect in and around his locality. Hence he prays to grant anticipatory bail to the petitioner.



WEB COPY

4.The learned Government Advocate (CrI. Side) would submit that elephant canine teeth and sandalwood bruises and other prohibited materials were found at the time of the search in the house of the petitioner. He is having three previous cases. In other cases he availed bail. Hence he vehemently opposed for grant of anticipatory bail to the petitioner . In this case A1 absconded and died in a mystery manner. A1 is the A2's sister husband and he gave asylum to A1.

5.Heard the learned counsel for the petitioner, and the learned Government Advocate (CrI.Side) and perused the materials available on record.

6.Taking into consideration the facts and circumstances of the case, investigation almost completed, hence this Court is inclined to grant anticipatory bail to the petitioner.

7.Accordingly, the petitioner is directed 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,



Gudalur, The Nilgiris District, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, of whom one surety should be a blood surety, each for a like sum to the satisfaction of the respondent/police or the police officer, who intends to arrest the petitioner, 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 Court concerned 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 on every Tuesday and Sunday 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



WEB COPY



Ctrl.O.P.No.12573 of ____

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 Judge himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

14.06.2024

ah



WEB COPY



Crl.O.P.No.12573 of _____

T.V.THAMILSELVI, J.

ah

Crl.OP.No.12573 of 2024



WEB COPY



Ctrl.O.P.No.12573 of _____

14.06.2024