

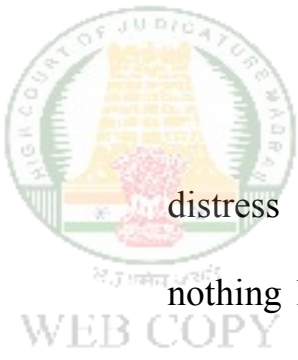
**Crl.O.P.No.13424 of 2024****T.V.THAMILSELVI, J.**

WEB COPY

The petitioner, who was arrested and remanded to judicial custody on 09.05.2024 for the offences under Sections 39(1)(a), (b), (c), (d), 39 (3) (a) (b), 44, 48A, 48(b)(ii), 49A, 49B, 50 r/w 51 of The Wild Life (Protection) Act, 1972 in W.L.O.R.No.03 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that a person was trying to sell Ambergris (Whale Sputum) along with 2 other police men intercepted a man who exhibited suspect able behaviour upon the same he revealed his identity further informed that while he went on his boat to Mallipattinam beach, 1 Kilogram of Ambergris (Whale Sputum) was caught in his net and he with the desire to sell it for high price brought it to Ennore, the petitioner herein was handed over to the custody of the respondent for further enquiry on 09.05.2024. Hence the complaint.

3.The learned counsel for the petitioner submitted that as per the W.L.O.R. Ambergris (Whale Sputum) was caught in his net and he has not caused any harm to any living thing under The Wild Life (Protection) Act, 1972. He is the sole breadwinner of the family. His incarceration has caused huge



distress to the family and they are suffering for their daily bread. There is nothing left to be recovered from him. He is willing to offer adequate solvent sureties on being released on bail. He will not evade the due process of law and cooperate with the investigation. He will not tamper or influence the witnesses. He undertakes to abide by any condition imposed upon him by this Court. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent submitted that on a secret information they conducted a search, enquired and arrested the petitioner. At that time he was holding the Ambergris (Whale Sputum) and he attempted to smuggle the same, which was prohibited under the Wild Life Protection Act, 1972. Investigation in this case has not been completed. Hence he vehemently opposed to grant anticipatory bail to the petitioner.

5.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondent and perused the entire materials available on record.



Crl.O.P.No.13424 of 2024

6.Taking into consideration of the facts and circumstances of the case and the submissions made by the learned Government Advocate (Crl.Side) and considering the gravity of the offence and also taking note of the fact that the case is at initial stage and it needs detailed investigation. Hence, this Court is not inclined to grant bail to the petitioner.

7.Accordingly, this Criminal Original Petition stands dismissed.

10.06.2024

ah



WEB COPY



Crl.O.P.No.13424 of 2024

T.V.THAMILSELVI, J.

ah

Crl.O.P.No.13424 of 2024



WEB COPY



CrI.O.P.No.13424 of 2024

10.06.2024