



Crl.OP.No.19636 of 2024

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P.DHANABAL, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 26(f) of 51 of Tamil Nadu Forest Act, 1881; 9,39,1(a),(d),50(1),(a),(b),(c) and 51(1) of Wildlife Protection Act 1972 and Amendment Act 2022 and 25(1)(d) of Indian Arms Act, 1959 in WLOR.No.12 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner was in possession of country made gun in Andiappannur Limit. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would submit that he is no way connected with the alleged offence. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) would submit that



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the petitioner was found in possession of country made gun in the Andiappanur forest division. He would submit that no previous case is pending as against the petitioner. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5.Considering the representations made on either side and the charges levelled against the petitioner and also the fact that the petitioner has no previous case, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

6. 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 learned Judicial Magistrate No.II, Vellore on condition 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for



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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. for a period of 30 days and thereafter, as and when required for interrogation.

[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 269 BNS.

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