



Crl.O.P.No.26148 of 2024

Crl.O.P.No.6148 of 2024

WEB CODE **P.DHANABAL, J.**

The petitioners apprehend arrest for the alleged offences under Sections 21(d) (e) (f), 36A and 36E of Tamil Nadu Forest Act, 1882 (Sandal Tree Reserves), in STOR No.2 of 2024, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that on 22.08.2024, when the de-facto complainant went to routine checkup at the forest, the petitioner and another were found in possession of 22 sandalwood, which cut into small pieces, weighing 1.514 Kg. Hence, the complaint.

3. The learned counsel appearing for the petitioners submits that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. The petitioner has been falsely implicated in this case. However, on instructions, the learned counsel further submits that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court and he prays to grant anticipatory bail to the petitioner.



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4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioner was found with 22 sandalwood, weighing 1.514 Kg. After seeing the de-facto complainant, the petitioner escaped from the scene of occurrence and based on the confession made by the co-accused, he got arrested. He would further submitted that there is no previous case as against the petitioner, and further, considering the gravity of offence, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the representations made by both sides and considering the nature of offences charged against the petitioner and that there is no previous case is pending against the petitioner and also taking into consideration the fact that the petitioner was arrayed as accused based on the confession made by the co-accused, who was already released on bail, this Court is inclined to grant **anticipatory bail** to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his/her appearance, within a period of fifteen (15)



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days from the date of receipt of a copy of this order before the **Judicial**

Magistrate at Thiruttani 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 and on further condition that:

[a] the petitioner shall report **before the respondent police everyday for a period of thirty (30) days.**

[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts of the Court or to any police officer.

[c] the petitioner shall not leave India without the previous permission of the Court.

[d] the petitioners shall not abscond either during investigation or trial.

[e] the petitioner shall make himself/herself available for interrogation by a police officer as and when required.

[f] On breach of any of the aforesaid conditions, the



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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]***.

[g] If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

25.10.2024

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