



Crl.O.P.No.27136 of 2024

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P.DHANABAL,J.

The petitioners/A2 to A4 who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 2, 9, 39(1)(a)(b)(d), 39(3)(a)(b)(c), 40(2), 50, 51 and 57 of Wild Life Protection Act, 1972 Amendment Act 2022 r/w Sections 3,7,8,20 and 27 of Arms Act in WL.OR.No.10 of 2024 seeks anticipatory bail.

2. The case of the prosecution is that the accused persons were illegally transported Deer Curry in Renault Kwid Car and also found in possession of country made crackers. Hence, the case

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they have not committed any such offence as alleged by the prosecution. He further submits that only based on the confession statement, they have been arrayed as accused and the co-accused was enlarged on bail by this Court vide order dated 22.10.2024 in Crl.OP.No.26044 of 2024. He further submits that they are ready to abide by



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any stringent conditions imposed by this Court. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (CrI.Side) appearing for the respondent submits that the petitioner along with other accused were found in possession of country made gun for hunting and there are one previous case against A2 and A4 and there is no previous case against A3. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners as well as the learned Government Advocate (CrI.Side) and perused the materials available on record.

6. Considering the nature of offences, only based on the confession statement, they have arrayed as an accused, there is no previous case against A3, though A2 and A4 are having one previous case, bail was granted in that case and also the fact that the co-accused was enlarged on bail, no any material was recovered from this petitioner and considering all other aspects,



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this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, 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-I, Virudhachalam, Cuddalore District** on condition that each of the petitioners shall execute separate bonds for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of 30 days.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

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

[d] On breach of any of the aforesaid conditions, the learned



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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].

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

29.10.2024

Vv



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