



Crl.O.P.No.28712 of 2024

P.DHANABAL,J.

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The petitioner/A3 who apprehend arrest at the hands of the respondent police for the alleged offences under Section 21(d)(h), 51, 53 of Tamil Nadu Forest Act 1882, section 9, 39(1),(d),50(1),(b),(c), and 51 (1) of Wild life Protection Act, 1972 and Amendment Act, 2022 and section 7a and 25 (1a), (1A) of Indian Arms Act 1959 and section 13, 9(B)(1)(a)(b) of the Explosion Act 1884 and section 5 of the Explosive Substance Act 1908 in WLOR No.10 of 2024 in WLOR No.10 of 2024, on the file of the respondent/ Forest Ranger, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was found in possession of three country made gun, 38 bombs and other explosives. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent opposed to grant anticipatory bail to the petitioner stating that the petitioner was found in possession of three country made gun, 38 bombs and other explosives and the co-accused A1 had already been arrested and



released on bail in Crl.O.P.No.23918 of 2024 dated 27.09.2024 and A2 already granted anticipatory bail in Crl.O.P.No.23419 of 2024 dated 30.09.2024.

5. Considering the nature of offences and also the fact that the co-accused had already been arrested and released on bail, and no recovery was made from the petitioner, no previous case is pending against the petitioner, 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 their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the **learned Judicial Magistrate, No.I, Tirupathur**, 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 / Ranger Office on every Saturday at 10.30 a.m., for a period of eight weeks.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial;



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

[d] 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 v. State of Kerala [(2005) AIR SCW 5560].

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

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