



Crl.O.P.Nos.27542 and 28586 of 2023

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C.V.KARTHIKEYAN, J.

The Petitioner/A1 has filed an application in Crl.O.P.No.27542 of 2023 and the Petitioners/A5, A6, A7 and A8 have filed an application in Crl.O.P.No.28586 of 2023, both in same Wild Life Crime Report No.02 of 2023 registered by the Respondent for the offences under Sections 2(16), 2(35), 9 and 51 of the Wild Life Protection Act, 1972, seek anticipatory bail.

2. It is alleged that on 19.10.2023 at around 07.10 a.m., the Respondent had received an information that 1 male Bison/Indian guar had been shot to death besides Ketty Pallada and Kethala Highways at Kundah Forest in Nilgiris. It is stated that the CCTV footage had been verified and it was found that several persons had come there in two vehicles bearing registration numbers of Kerala State and thereafter, on identifying the individuals, A2, A3 and A4 had been taken into custody. On the basis of their confession, the present Petitioners/A1, A5, A6, A7 and A8 had also been implicated as Accused in the said offence.



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3. The learned Government Advocate (Criminal Side) stated that there is one previous case of similar nature against the Accused A7 and there are 10 previous cases against the Accused A8 under Arms Act.

4. It is the case of the prosecution that, after investigation had been conducted, the persons had been identified. On that particular date, gun shot noises were also heard and the vehicles had also been seized.

5. The learned counsel for the Petitioner/A1 stated that the vehicles had been seized from the house of the Petitioner herein and that the brother of the Accused A1 is the owner of the vehicles and incidently, he is a Father in a church.

6. The learned counsel for the Petitioners/A5, A6, A7 and A8 stated that it is only on the basis of the confession of the arrested Accused that these Petitioners were implicated in this case. It is also alleged that the arrests were not made in a proper manner and confession was extracted. But however, there was a dead body of a bison which had been recovered and



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investigation will have to be done as to who shot it. It could not have died by itself as the said deceased bison had bullet injuries.

7. It is stated that the CCTV footages had been examined by the Respondent which pointed out to the involvement of the Accused persons. The investigation will have to be proceed further and the Accused persons will have to be identified and secured.

8. At this stage, since the investigation is at a very nascent stage, I am not inclined to grant anticipatory bail to the Petitioners herein. Accordingly, these Criminal Original Petitions stands dismissed.

10.01.2024

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