



CRL OP(MD) No.2163 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )

Tuesday, the Thirteenth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2163 of 2024

MUNISAMY

... Petitioner / Sole Accused

Vs

THE FOREST RANGE OFFICER  
AYYALUR FOREST RANGE DIVISION,  
DINDIGUL DISTRICT.  
(WLOR NO. 04 OF 2024)

... Respondent / Complainant

For Petitioner : M/s.N.Adithya Vijayalayan, Advocate

For Respondent : Mr.S.Manikandan,  
Government Advocate ( CrI. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

PRAYER : TO ENLARGE THEM ON BAIL IN THE EVENT OF THEIR ARREST IN  
RESPECT OF WLOR NO. 4 OF 2024 ON THE FILE OF THE RESPONDENT  
PENDING INVESTIGATION

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police  
for the alleged offence under Sections 2(1), 12B, 14, 16, 22, 26(A), 33, 36, 37, 39 and 51



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of the Wild Life (Protection) Act, 1972 and Amended Act, 2022, in W.L.O.R.No.4 of 2024, seeks anticipatory bail.

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2. The case of the prosecution is that on 01.02.2024, TATA ACE Load Auto bearing Registration No.TN-57-BJ-2160 driven by the petitioner dashed against a Moose, due to which, Moose died. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution. However, on instruction, he would further submit that the petitioner, without prejudice to his rights, is ready to pay a sum of Rs.10,000/- to the Arignar Anna Zoological Park, Vandalur, Chennai-600 048, and hence, he prays for anticipatory bail.

4.The learned Government Advocate (Crl.Side) appearing for the respondent Police strongly opposed to grant anticipatory bail stating that the vehicle driven by the petitioner dashed against Moose, due to which, Moose died.

5.Considering the facts and circumstances of the case, 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 appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Vendasandur, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees



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Ten Thousand Only), with one surety 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)if the petitioner failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b)as per the undertaking given by the petitioner, the petitioner is directed to pay a sum of Rs.10,000/- (Rupees Ten Thousand only) to Arignar Anna Zoological Park, Vandalur, Chennai-600 048, for the welfare of the animals in Arignar Anna Zoological Park, without prejudice to his defence before the trial Court and the concerned Magistrate, after perusing the challan/receipt, shall accept the sureties furnished by the petitioner;

(c)the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(d)the petitioner shall report before the respondent police as and when required for interrogation;

(e)the petitioner shall not tamper with evidence or witness either



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during investigation or trial;

(f)the petitioner shall not abscond either during investigation or trial;

(g)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]; and;

(h)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-  
13/02/2024

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/02/2024  
Sub-Assistant Registrar  
(C.S. I / II / III /IV)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

SSB

To

1.The Judicial Magistrate,  
Vedasandur.



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2. Do through the Chief Judicial Magistrate,  
Dindigul District.

3. The Forest Range Officer,  
Ayyalur Forest Range Division,  
Dindigul District.

4. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

Copy to:

The Officer Incharge,  
Arignar Anna Zoological Park,  
Vandalur, Chennai-600 048.

+1 CC to M/s.D.VENKATESH, Advocate ( SR-1842[I] dated 14/02/2024 )

ORDER

IN

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Date :13/02/2024

ED/ JGB /SAR- (21/02/2024) 5P / 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from  
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