



CRL OP(MD) No.3823 of 2024

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

Monday, the Eleventh day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.3823 of 2024

VADIVEL

... PETITIONERS/ ACCUSED NO.4

Vs

THE FOREST RANGE OFFICER
RAJAPALAYAM FOREST RANGE OFFICE,
VIRUDHUNAGAR DISTRICT.
WLOR NO.8/2023.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.T.INDRACHITHU, Advocate

For Respondent : MR.S.MANIKANDAN, Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SEC 438 OF CR.P.C.

PRAYER : TO ENLARGE THE PETITIONER/ACCUSED NO.4 ON BAIL IN THE
EVENT OF HIS ARREST OR SURRENDER IN CONNECTION WITH WLOR
NO.8/2023 ON THE FILE OF THE RESPONDENT AND THUS RENDER JUSTICE.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent for the
alleged offence under Sections 2(11), 2(14), 2(16), 2(20), 2(24A), 2(36), 2(37), 9, 11, 48,
48A, 49A, 49B, 50, 51, 52 and 57 of the Wild Life Protection Act, in WLOR No.8/2023,
seeks anticipatory bail.



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2. The case of the prosecution is that on 08.11.2023, the respondent went to the spot and found the petitioner and the accused persons in possession of meat of spotted deer, wild dog and wild deer.

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.50,000/- to S.S.Government (Girls) Higher Secondary School, Rajapalayam-626117, Virudhunagar District, and hence, he prays for anticipatory bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police would submit that two previous cases are pending against the petitioner and the investigation is yet to be completed.

5. Considering the facts and circumstances of the case and also the nature of allegation levelled 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 his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Rajapalayam, Virudhunagar District, on condition that the petitioner shall execute a bond for a



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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)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.50,000/- (Rupees Fifty Thousand only) to the S.S.Government (Girls) Higher Secondary School, Rajapalayam-626117, Virudhunagar District, 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; The Head Master of the said school shall utilize the said amount for the welfare of the students;

(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 daily at 10.30 a.m, for a period of two weeks and thereafter, as and when required for interrogation;



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(e) the petitioner shall not tamper with evidence or witness either 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/-
11/03/2024

/ TRUE COPY /

/03/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SSB

TO

1 THE JUDICIAL MAGISTRATE, RAJAPALAYAM, VIRUDHUNAGAR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.

3 THE FOREST RANGE OFFICER, RAJAPALAYAM FOREST RANGE OFFICE,
VIRUDHUNAGAR DISTRICT.

<https://www.mhc.tn.gov.in/judis>



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4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

THE HEADMASTER / HEADMISTRESS,
S.S.GOVERNMENT (GIRLS) HIGHER SECONDARY SCHOOL,
RAJAPALAYAM - 626117,
VIRUDHUNAGAR DISTRICT.

+1 CC to M/s.T.INDRACHITHU, Advocate (SR-3010[I] dated 11/03/2024)

ORDER

IN

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Date :11/03/2024

RS/JGB/SAR-(19.03.2024) 5P 7C

Madurai Bench of Madras High Court is issuing
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