



CRL OP(MD)No.7337 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24.05.2024

PRESENT

THE HON'BLE MRS JUSTICE S.SRIMATHY

CRL OP(MD)No.7337 of 2024

Vellaiyan @ Ramasamy

... Petitioner/ Accused

Vs

State through
The Forest Range Officer,
Gandamanur FRO,
(WLOR No.05 of 2023)

... Respondent / Complainant

For Petitioner : Mr.A.S.Murugan, Advocate

For Respondent : Mr.M.Muthumanikkam
Government Advocate (Crl. side)

PETITION FOR ANTICIPATORY BAIL Under Section 438 of Cr.P.C.

PRAYER :-

For Anticipatory Bail in WLOR No.05 of 2023 on the file of the Respondent police.



CRL OP(MD)No.7337 of 2024

ORDER: The Court made the following order :-

WEB COPY

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 2(16)(a)(b)(c)(20), 9, 39, 39(d), 50 and 51 of the Wild Life (Protection) Act, 1972 in WLOR No.05 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 11.12.2023, at about 12.45 hours, the respondent received a secret information that the wild animal was hunted and cooked by the accused in a private patta land near Aattupparai, Chithambara Vilakku Village, Talipparai Range. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is ready and willing to co-operate for the enquiry.

4.The learned Additional Public Prosecutor appearing for the State would submit that the investigation is pending.

5. Heard the learned counsel for the petitioner and also the learned Additional Public Prosecutor.

6.Taking into consideration the facts and circumstances of the case and also considering the submission made by the learned counsel appearing for the



CRL OP(MD)No.7337 of 2024

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

WEB COPY

7. 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, Aundipatti, Theni District 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 learned Magistrate concerned and on further conditions that:

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of 30 days and thereafter, as and when required for interrogation.

[c] the petitioner shall not tamper with the evidence or witness either during investigation or trial.

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

[e] 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 is released on bail by



CRL OP(MD)No.7337 of 2024

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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
24/05/2024

/ TRUE COPY /

/05/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PS

To

1.The Judicial Magistrate,
Aundipatti, Theni District.

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

3.The Forest Range Officer,
Gandamanur FRO

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

+1 CC to M/s.A.S.MURUGAN, Advocate (SR-5838[I] dated 24/05/2024)



WEB COPY



CRL OP(MD)No.7337 of 2024

ORDER

IN

CRL OP(MD) No.7337 of 2024

Date :24/05/2024

ED/ JGB /SAR- (28/05/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023