



CRL OP(MD). No.7599 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.7599 of 2024

Manimaran,

... Petitioner/1st Accused

Vs

The Forest Ranger,
Kandamanur Range,
Kandamanur, Theni District.
Wlor. No.1 of 2024..

... Respondent/Complainant

For Petitioner : Mr. C. Susikumar,
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 on bail in the event of his arrest in WLOR.No.1 of 2024 pending investigation on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent



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police for the offences punishable under Sections 2(1) (16), a,b,c, 9,32,39,43,50 and 51 of Wildlife Protection Act, 1972 in WLOR No.01/2024, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with the other accused has hunted a wild boar in the Forest and on seeing the Forest officers, they escaped from the spot left their bike bearing Registration No. TN 63 AF 8844. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that for statistical purpose, they have registered the above case.

4.The learned Additional Public Prosecutor appearing for the respondent police submits that the investigation is yet to be completed. He further submits that there is no previous case is pending as against this petitioner.



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

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 District Munsif cum Judicial Magistrate, Andipatti 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 until further orders. He shall co-operate for interrogation.



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- 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 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.

VRN



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TO
WEB COPY

- 1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, ANDIPATTI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.
- 3 THE FOREST RANGER
KANDAMANUR RANGE, KANDAMANUR, THENI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.C.SUSI KUMAR, Advocate (SR-5876[I] dated 27/05/2024)

ORDER
IN

CRL OP(MD) No.7599 of 2024

Date :24/05/2024

SS/JGB/SAR- /29/05/2024/5P/6C

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