



CRL OP(MD). No.12411 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/08/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.12411 of 2024

P.Iyyappan @ Vishwa

... Petitioner/ Accused

Vs

The Forest Ranger,
Palani Forest Range,
Palani,
Dindigul District
(F.R.O No. 4/2024.)

... Respondent/ Complainant

For Petitioner : M/s.D.Rameshkumar, Advocate.

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

To enlarge the petitioner / Accused on bail in the event of his arrest in
F.R.O No. 4 of 2024 pending investigation on the file of the respondent .



CRL OP(MD). No.12411 of 2024

ORDER: The Court made the following order :-

WEB COPY

This Petition is filed to To enlarge the petitioner / Accused on bail in the event of his arrest in F.R.O No. 4 of 2024 pending investigation on the file of the respondent.

2.The petitioner, is an accused in F.R.O.No.4 of 2024, for the offences punishable under Section 21(d) of Tamil Nadu Forest Act r/w. Section, 21(ii) of Wild Life (Protection) Act, 1972 and Sections 2(2), 9, 39, 40(i), 40(ii), 40(ii)(A), 44(i), 49 (b), 50, 51(i) of Wild Life (Protection) Act, 1972, on the file of the respondent, seeks bail.

3.The case of the prosecution is that the petitioner and other accused were illegally cut the ivory for sale. Hence, the complaint.

4.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case and hence, he prays for grant of bail to the petitioner.

5.The learned Additional Public prosecutor would submit that totally four accused and the petitioner is arrayed as A2 and co-accused in this case were already released on bail. The investigation is almost completed and he strongly opposed to grant bail to the petitioner.

6. Considering the facts and circumstances of the case and also considering the



CRL OP(MD). No.12411 of 2024

fact that co-accused were already released on bail and the property was recovered,
this Court is inclined to grant bail to the petitioner on certain conditions.

7. Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Palani, Dindigul 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(i) 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 Aadhar card or Bank pass Book to ensure their identity;

(ii) the petitioner shall report before the respondent weekly once ie. on every Saturday at 10.00 a.m., until further orders;

(iii) the petitioner shall not tamper with evidence or witness;

iv) the petitioner shall not abscond during trial.

v) 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



CRL OP(MD). No.12411 of 2024

WEB COPY

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

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

sd/-
01/08/2024

/ TRUE COPY /

/08/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS

To

1.The Judicial Magistrate,
Palani, Dindigul District.

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

3.The Forest Ranger,
Palani Forest Range,
Palani, Dindigul District.

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



WEB COPY



CRL OP(MD). No.12411 of 2024

ORDER

IN

CRL OP(MD) No.12411 of 2024

Date :01/08/2024

ED/ JGB /SAR- (23/08/2024) 5P / 5C

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