



CRL OP(MD). No.12153 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31/07/2024

PRESENT

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

CRL OP(MD). No.12153 of 2024

1. Saravanakumar,

2. Krishnamoorthy,

... Petitioners/ Accused 3 & 4

Vs

The Forest Range Officer,
Thirukurungudi Range,
Tirunelveli District.
(Wlor No. 02/2024).

... Respondent/ Complainant

For Petitioners : Mr.K.Navaneetharaja,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- To enlarge the petitioner on bail in connection with the case in W.L.O.R No. 02 of 2024 on the file of the Respondent.

ORDER : The Court made the following order :-

The petitioner/ Accused, who was arrested and remanded to judicial custody on 19.06.2024 for the offences punishable under Sections 2, 9, 39, 44, 49(A), 49(B), 50,



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51, 52, 55, 56 and 57 of the Wild Life Protection Act, 1972, in W.L.O.R No. 02 of 2024

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on the file of the respondent, seeks bail.

2.The case of the prosecution is that the petitioners and other accused were in illegal trading of elephant ivory. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 19.06.2024, hence he may be released on bail.

4.The learned Additional Public Prosecutor would submit that totally seven accused and the petitioners are A3 and A4 and they are brokers, to sell the ivory and the properties have been recovered. The investigation is pending, hence, he strongly opposed to grant bail.

5.Considering the facts and circumstances of the case and also considering the period of incarceration and the properties have been recovered, this Court is inclined to grant bail to the petitioner on certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing 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 Judicial Magistrate, Nanguneri.



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(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioner shall report before the respondent daily at 10.30 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 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].

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

sd/-
31/07/2024

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01/08/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

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1 THE JUDICIAL MAGISTRATE,
NANGUNERI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

4 THE FOREST RANGE OFFICER,
THIRUKURUNGUDI RANGE, TIRUNELVELI DISTRICT.

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

+1 CC to M/s.K.NAVANEETHA RAJA, Advocate (SR-9106[I] dated 31/07/2024)

ORDER IN
CRL OP(MD) No.12153 of 2024
Date :31/07/2024

SA/SAR. /01.08.2024/4P/7C

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