



CRL OP(MD). No.15075 of 2024

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

Date : 11/09/2024

PRESENT

THE HON`BLE MR.JUSTICE B.PUGALENDHI

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Kawasker

... Petitioner/ Accused No.5

Vs

The State of Tamilnadu,
Rep. by the Forest Ranger,
Rajapalayam Forest Range,
Mehamalai Tiger Sanctuary,
Virudhunagar District.
(W.L.O.R.No. 04/2024).

... Respondent/ Complainant

For Petitioner : Mr.D. Rajaboopathy, Advocate.

For Respondent : Mr.B.Thanga Aravindh,
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 their arrest in WLOR No.04/2024 pending investigation on the file of respondent Forest Ranger,Rajapalayam Forest Range, Mehamalai Tiger Sanctuary, Virudhunagar District.



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ORDER : The Court made the following order :-

The petitioner, apprehending arrest at the hands of the Forest Ranger, Rajapalayam Forest Range, Mehamalai Tiger Sanctuary, Virudhunagar District, in connection with a case in W.L.O.R.No.04 of 2024, for the offence punishable under Sections 2(14, 16, 20, 25(b), 26, 35, 36, 37) 9, 27, 31, 39, 50, 51 and 57 of Wildlife Protection Act, 1972, has filed this petition seeking anticipatory bail.

2. The case of the prosecution is that a camera was installed in Pulpathi Peet Reserve Forest Area to watch the movements of elephants. On 23.05.2024, when the Forest Officer checked the footage, they found that the petitioner along with other accused personally hunted a moose and took it away.

3.Considering the nature of offence, this Court is not inclined to grant anticipatory bail to this petitioner and the earlier application filed by this petitioner was also dismissed on that ground. Now, the petitioner has moved this second application that his marriage is fixed and scheduled to be conducted on 15.09.2024.

4.The learned counsel appearing for the petitioner submits that he has advised the petitioner and the petitioner, in order to show his bonafide, is prepared to deposit a sum of Rs.50,000/- to the respondent, which could be used for the benefit of providing drinking water Tank for the wild animals in the Forest area. The



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learned counsel further submits that he has also advised the petitioner to file an affidavit of undertaking before the respondent that he will not indulge in such offence in future.

5.Considering the submissions made on behalf of this petitioner and also considering that his marriage is scheduled to be performed on 15.09.2024, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this criminal original petition is allowed and 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 Judicial Magistrate Court, Rajapalayam, Virudhunagar on condition that the petitioner shall execute a bond for a sum of Rs.25,000/-(Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate Court, Rajapalayam, Virudhunagar and on further conditions that:

- i. The petitioner shall pay a sum of Rs.50,000/- to the credit of
Srivilliputhur Megamalai Tiger Conservation Foundation,
Madurai, forthwith in A/c No.17310100033802, Bank of Baroda,



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Rajapalayam, IFSC Code No.BARBORAJAPA, MICR
No.626012102.

- ii. The amount so deposited by the petitioner has to be utilised for the purpose of providing drinking water Tank for the wild animals in the forest area and the respondent shall file a compliance report along with the photographs before this Court on or before 11.12.2024.
- iii. The petitioner shall appear before the respondent from 23.09.2024 daily, for a period of one month.
- iv. The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;
- v. The petitioner shall file an affidavit before the respondent that he will not indulge in any offence in future.
- vi. The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. The petitioner shall be available for the trial as well.
- vii. On violation of any of the above conditions by the petitioner, the



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respondent police shall move an application for cancellation of
the anticipatory bail.

sd/-
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/09/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VRN

To

- 1.The Judicial Magistrate,
Rajapalayam, Virudhunagar District.
- 2.Do through the Chief Judicial Magistrate,
Virudhunagar District at Srivilliputhur.
- 3.The Forest Ranger,
Rajapalayam Forest Range,
Mehamalai Tiger Sanctuary,
Virudhunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to:

The Officer Incharge,
Srivilliputhur Megamalai Tiger Conservation Foundation,
Madurai.



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+1 CC to M/s.D.RAJABOOPATHY, Advocate (SR-11295[I] dated 13/09/2024)

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ORDER

IN

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Date :11/09/2024

ED/ JGB /SAR- (20/09/2024) 6P / 7C

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