



CRL OP(MD). No.16055 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16055 of 2024

Ganesan,

... Petitioner/ Accused No.2

Vs

The State of Tamilnadu,
Rep. by the Forest Ranger,
Srivilliputhur Forest Range,
Mehamalai Tiger Sanctuary,
Virudhunagar District.
W.L.O.R.No. 12/2024..

... Respondent/Complainant

For Petitioner : Mr.A.Mohan,
Advocate.

For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 BNSS

PRAYER :-

To enlarge the Petitioner on bail in the event of their arrest in W.L.O.R No.12/2024 pending investigation on the file of Respondent police and thus render justice.



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ORDER: The Court made the following order :-

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The petitioner/ A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 2(16)(a)(b)(c), 9, 35, 36, 39(a)(b)(d)(3), 40, 50 and 51 of Wild Life Protection Act, 1972, in W.L.O.R No.12 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that due to the trap erected in the patta land of the petitioner, an elephant got electrocuted by the said trap and died. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner did not have any knowledge in respect of the act, which was done only by the labour. The petitioner would further submit that he is the owner of the land, who was residing away at Rajapalayam, and this land is in Srivilliputhur. Taking advantage of his absence, the first accused, who is the labour set up a trap, in which, the elephant died. Even though, there is no knowledge about the complicity, the earlier anticipatory bail petition was dismissed, hence, this court should consider this petition for the grant of anticipatory bail.



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4. I have considered the submissions made by the learned counsel for the petitioner.

5. Whether there is complicity for the petitioner or not cannot be gone into at this stage itself. The elephant has died, and the offence is serious, and it has died in the land of the petitioner only. Therefore, I have considered the said submissions earlier and dismissed the anticipatory bail application. Even today, I do not see any change of circumstances in this petition.

6. Accordingly, this Criminal Original Petition stands dismissed.

sd/-
24/09/2024
/ TRUE COPY /

/10/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS
TO
1 THE FOREST RANGER,
SRIVILLIPUTHUR FOREST RANGE,
MEHAMALAI TIGER SANCTUARY,
VIRUDHUNAGAR DISTRICT.



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

+1 CC to M/s.A.MOHAN, Advocate (SR-11710[I] dated 25/09/2024)

ORDER
IN
CRL OP(MD) No.16055 of 2024
Date :24/09/2024

SS/VR/SAR- /01/10/2024/4P/4C

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