



CRL OP(MD). No.16048 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16048 of 2024

1. Kaliyaperumal
2. Vijayakumar

... Petitioners/ Accused Nos.1 & 5

Vs

The Inspector of Police,
Kumbakonam Forest Range Police Station,
Thanjavur District.
(W.L.O.R.03/2024)

... Respondent/Complainant

For Petitioners : Mr.M.Karunanithi, Advocate.

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

PETITION FOR BAIL UNDER SEC 483 of BNSS

PRAYER :-

To enlarge the petitioner /Accused on bail pending investigation in W.L.O.R.No. 03/2024 on the file of the Respondent and thus render justice.

ORDER : The Court made the following order :-

The petitioners/ Accused, who were arrested and remanded to judicial custody on 27.08.2024 for the offences punishable under Sections 2(2)(11), (14), 39(b), 43(1)(2), 49B, 50 and 51 of Wildlife Protection Act, 1972 in WLOR.No.03 of 2024 on the file of



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the respondent police, seeks bail.

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2.The case of the prosecution is that the petitioners herein have illegally found in possession of Rhinoceros unicorns. Hence, the complaint.

3. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the respondent Police.

4. Considering the nature of allegations in this case that the petitioners were said to be in possession of rhinoceros unicorns and considering the arguments made by the learned counsel for the petitioners that the same is an old one and is already certified to be in possession of the petitioners by the Forest Department of the State of Maharashtra and even though this Court adjourned the matter twice for verifying the same, the learned Additional Public prosecutor submitting that the same is likely to take some time. In view thereof since the petitioners are in custody from 27/8/2024, I am inclined to enlarge the petitioners on bail.

6.Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned District Munsif Cum Judicial Magistrate, Thiruvudaimaruthur.

(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



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card or Bank Pass Book to ensure their identity;

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(ii)the petitioners shall appear before the respondent Police daily at 10.30 am for a period of two weeks and thereafter, as and when required for interrogation;

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

(iv)the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 229A IPC.

sd/-
01/10/2024

/ TRUE COPY /

01/10/2024

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP
TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
THIRUVIDAIMARUTHUR.



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2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE OFFICER INCHARGE, SUB JAIL, THANJAVUR.

4 THE INSPECTOR OF POLICE,
KUMBAKONAM FOREST RANGE POLICE STATION,
THANJAVUR DISTRICT.

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

ORDER
IN

CRL OP(MD) No.16048 of 2024

Date :01/10/2024

RS//SAR-(01.10.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
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