



CRL OP(MD). No.16336 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16336 of 2024

Raja Mohammed,

... Petitioner/ Accused No.2

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Forest Department Police Station,
Thirumayam,
Pudukottai District.
(W.L.O.R.No.1 of 2024).

... Respondent/ Respondent

For Petitioner : M/s.Manoj Kumar.S, Advocate.

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

PETITION FOR BAIL UNDER SECTION 483 OF BNSS



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PRAYER:-

To enlarge the petitioner on bail in connection with the case in Crl.M.P.No.5029 of 2024 on the file of the Principal District and Sessions Judge, Pudukottai W.L.O.R.No.1 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A3, who was arrested and remanded to judicial custody on 05.09.2024 for the offence punishable under Section 2(2)(11)(14),39(b),43(1)(2),49(B),50 and 51 of Wildlife Protection Act, 1972 , in W.L.O.R. No.1 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the the petitioner along with other accused involved in illegal activity by having trophy of wild animals and trying to sell it to other persons. Hence, the complaint.

3. Heard both sides

4. Considering the nature of the allegations in this case that the petitioner advertised for selling artefacts made up of ivory and considering the fact those are artifacts which are said to have been purchased from the old traditional houses in Chettinadu area and considering the submission made by the learned counsel for the petitioner that herein after they will not trade any such ivory and other products and

that the petitioner will file an undertaking affidavit before the trial Court, this Court is

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inclined to grant bail to the petitioner on certain conditions.

5. 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 District Munsif cum Judicial Magistrate, Thirumayam, Pudukottai District

(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) As per the undertaking given by the petitioner, the petitioner shall file an affidavit before the trial Court that he will not involve in any sale or advertisement of any of the artifacts products made of Animal Kingdom

(iii) the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

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

(v) the petitioner shall not abscond during trial.

vi) 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



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in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

vii)If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
27/09/2024

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27 / 09 / 2024

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

AAV

TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
THIRUMAYAM, PUDUKKOTTAI DISTRICT.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.

3 THE OFFICER INCHARGE
SUB JAIL, THIRUPPATHUR

4 THE INSPECTOR OF POLICE,
FOREST DEPARTMENT POLICE STATION,
THIRUMAYAM,
PUDUKOTTAI DISTRICT.

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

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ORDER
IN
CRL OP(MD) No.16336 of 2024
Date :27/09/2024

PSP/ /SAR /27.09.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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