



CRL OP(MD). No.17220 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.17220 of 2024

R.Ganapathy Subramanian,

... Petitioner/ Accused No.6

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police, Forest
Department Police Station,
Thirumayam,
Pudukkottai District
(In W.L.O.R No. 1/2024).

... Respondent/ Complainant

For Petitioner : M/s. Manoj Kishore.C.T,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

To enlarge the petitioners on anticipatory bail in the event of his arrest in W.L.O.R
No. 1/2024 on the file of the respondent police

<https://www.mhc.tn.gov.in/judis>



CRL OP(MD). No.17220 of 2024

ORDER : The Court made the following order :-

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The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 2(2)(11)(14) 39(b) 43(1)(2), 49(B), 50 and 51 of Wildlife Protection Act, 1972 in WLOR.No.1 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner herein was found in illegal possession of Rhinoceros unicorns. Hence, the complaint.

3. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. side) appearing for the respondent Police and perused the materials available on record.

4. Considering the nature of allegations that the petitioner and the others were trading in artefacts which are made-up of ivory and horns of animals and considering the fact that these are old artifacts collected from heritage Chettinad houses and considering the fact that the similarly placed accused have also been released on anticipatory bail, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.



CRL OP(MD). No.17220 of 2024

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned District Munsif Court, Judicial Magistrate, Thirumayam, Pudukkottai District on condition that the petitioner shall execute 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

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

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

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;



CRL OP(MD). No.17220 of 2024

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(e)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]; and;

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

sd/-
15/10/2024

/ TRUE COPY /

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

trp

TO

1. The District Munsif, Judicial Magistrate, Thirumayam, Pudukkottai District
2. Do-Through The Chief Judicial Magistrate,
Pudukkottai District.
3. The Inspector of Police, Forest
Department Police Station,
Thirumayam,
Pudukkottai District



CRL OP(MD). No.17220 of 2024

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.C.T.MANOJ KISHORE, Advocate (SR-12533[I] dated 16/10/2024)

ORDER
IN
CRL OP(MD) No.17220 of 2024
Date :15/10/2024

RK/SVR (30/10/2024) 5P / 6C

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