



CRL OP(MD). No.18088 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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1. Rajendran,

2. Ganeshan @ Ganesan,

... Petitioners/ Accused 1&2

Vs

The State of Tamilnadu,
Rep by the District Forest Officer,
Forest Department PS,
Keeranuir,Pudukottai District.
(WLOR No.4/2024).

... Respondent/Complainant

For Petitioners : Mr.K.Sivabalan. Advocate,
for M/s.Aran Legal Consultancy.
For Respondent : Nr.R.N.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL UNDER SECTION 483 OF BNSS

PRAYER :-

To enlarge the petitioners on bail in connection with the case in WLOR No.4 of

2024 on the file of respondent police.

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ORDER : The Court made the following order :-

The petitioners/ A1 & A2, who were arrested and remanded to judicial custody on 26.09.2024 for the offences punishable under Sections 9, 39(1), 50, 51, 52 of Wildlife Protection Act, 1972 r/w Section 3(1), 25(1B) of Arms Act, 1959, in WLOR No.4 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the petitioners are said to have killed the three Peacocks with a country made gun. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the allegations in this case that the petitioner hunted three Peacocks with a country made gun and that gun has already been recovered, and considering the fact that the petitioners are in prison from 26.09.2024 and that there are no other antecedents as against the petitioners, this Court is inclined to grant bail to the petitioners on certain conditions.

5.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 Judicial Magistrate, Viralimalai, 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

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card or Bank Pass Book to ensure their identity;

(ii)the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of three 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 abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
22/10/2024

/ TRUE COPY

22 / 10 / 2024

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

DSS
TO
1 THE JUDICIAL MAGISTRATE
VIRALIMALAI PUDUKOTTAI DISTRICT.

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2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE,
PUDUKOTTAI DISTRICT.

3 THE OFFICER INCHARGE, DISTRICT JAIL, PUDUKOTTAI.

4 THE DISTRICT FOREST OFFICER, FOREST DEPARTMENT PS, KEERANUIR,
PUDUKOTTAI DISTRICT.

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

+1 CC to M/s.M/S.AARAN LEGAL CONSULTANCY, Advocate (SR-12871[I] dated
22/10/2024)

ORDER

IN

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Date :22/10/2024

PSP/ /SAR /22.10.2024/ 4P/ 7C

Madurai Bench of Madras High Court is issuing certified
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