



CRL OP(MD)No.18426 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD)No.18426 of 2024

Ravathur Naina Mohamed

... Petitioner/ A-3

Vs

The Forest Ranger,
Aranthange Forest Range,
Pudukottai District.

W.L.O.R.No.02 of 2024

... Respondent/ Complainant

For Petitioner : Mr.C.Gunasekaran
Advocate.

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

PRAYER :- For Anticipatory Bail in W.L.O.R.No.02 of 2024 on the file of the Respondent herein.



CRL OP(MD)No.18426 of 2024

ORDER: The Court made the following order :-

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The petitioner, who apprehends arrest at the hands of the respondent Police for the alleged offence under Sections 9, 39(1) a, b, d, 39(3) a, b, c, 40(2), 50, 51(1) of Wild Life (Protection) Act, in W.L.O.R.No.02 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and other accused were found to be in illegal possession of Sea Card and Sea Horse. Hence, the complaint.

3. Heard the learned counsel on either side and perused the material records of the case.

4. Considering the nature of allegation in this case that on the confession of A-1 and A-2 that this petitioner is only procuring the endangered and protected species of Sea Card and Sea Horse and considering the quantity of Sea Card and Sea Horse which was recovered from the fisherman and only considering the fact that the petitioner does not have any antecedent, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.



CRL OP(MD)No.18426 of 2024

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5. Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of his arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Aranthangi, 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 three weeks and thereafter as and when required for interrogation. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

(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;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial



CRL OP(MD)No.18426 of 2024

WEB COPY

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/-
25/10/2024

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/11/2024
Sub-Assistant Registrar
(CS-I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

jbr

TO

1. The Judicial Magistrate,
Aranthangi, Pudukkottai District

2.Do-Through,
The Chief Judicial Magistrate,
Pudukkottai District

3. The Forest Ranger,
Aranthange Forest Range,
Pudukkottai District.



CRL OP(MD)No.18426 of 2024

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

+1 CC to M/s.C.GUNASEKARAN, Advocate (SR-13244[I] dated 28/10/2024)

ORDER
IN
CRL OP(MD) No.18426 of 2024
Date : 25.10.2024

SI/MMS/ **-(15.11.2024) 5P/ 6C**

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