



CRL OP(MD). No.19089 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.19089 of 2024

N. Kalaiselvan

... Petitioner/ Accused No.7

Vs

The Forest Range Officer,
Bodinayakkanur FRO in
Theni District.
in STOR No. 01/2024.

... Respondent/Complainant

For Petitioner : Mr.J. Lawrance, Advocate
For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

PETITIONS FOR BAIL Under Sec.483 of BNSS

PRAYER :-

To enlarge the petitioner on bail in connection with the criminal case in STOR No. 01/2024 on the file of the respondent Forest Department and pass such other orders



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ORDER: The Court made the following order :-

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The petitioner/A7, who was arrested and remanded to judicial custody on 14.10.2024 for the offences under Sections 21(d)(e)(f), 41, 51 and 56(b) of Tamil Nadu Forest Act (Amendment Act 1992) in STOR No.01 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused persons had cut ebony trees and were attempting to transport the same in vehicles and they were intercepted and the wooden logs were seized. There are totally seven accused persons in this case and the petitioner has been arrayed as A7.

3. The learned Counsel appearing for the petitioner submitted that the petitioner had nothing to do with the alleged offence and that he has been falsely roped in this case.

4. Per contra, the learned Additional Public Prosecutor appearing for the respondent police vehemently opposed grant of bail to the petitioner since huge quantity of wooden logs have been seized and the vehicles, which were involved, were also seized and already an application was filed before the Court below seeking for police custody of the petitioner and orders are yet to be passed. The learned Additional Public Prosecutor further submitted that the petitioner has to be taken on police custody since the respondent police wants to see if any other wooden logs are



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available and if so to seize the same.

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5.This Court has carefully considered the submissions made on either side and the materials available on record.

6.The specific case of the prosecution is that after the interception of vehicles, the wooden logs have been seized and the vehicles have also been seized. Except A5, all the other accused persons have been apprehended. In view of the same, no useful purpose will be served in taking the petitioner on police custody. The petitioner has suffered incarceration from 14.10.2024 onwards. Therefore, this Court is inclined to grant bail to the petitioner subject to the following conditions.

7. Accordingly, the criminal original petition is ordered 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 Judicial Magistrate, Bodinayakkanur and on further conditions that:-

[a] 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 a.m until further orders except on the days when the case is posted for hearing before the trial Court.



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without fail.

[c] the petitioner shall appear before the trial Court during every hearing date

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
06/11/2024

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06 / 11 /2024

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

LR



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TO
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- 1 THE JUDICIAL MAGISTRATE
BODINAYAKKANUR.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.
- 3 THE OFFICER INCHARGE
SUB JAIL, PERIYAKULAM.
- 4 THE FOREST RANGE OFFICER
BODINAYAKKANUR FRO IN THENI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.19089 of 2024
Date :06/11/2024

PSP/ /SAR /06.11.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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