



CRL OP(MD). No.20634 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/11/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.20634 of 2024

Deivendran,

... Petitioner/5th Accused

Vs

The State of Tamil Nadu,
The Forest Officer,
Bodinayakkanur Range,
Bodinayakkanur
(In STOR No. 1 of 2024).

... Respondent/Complainant

For Petitioner : Mr.Jerin Mathew, Advocate.

For Respondent : Mr.Albert James,

Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

To enlarge the petitioner on bail in the event of his arrest or surrender in STOR NO. 01 of 2024 pending investigation on the file of the respondent and thus render justice.

ORDER : The Court made the following order :-

The petitioner / Accused No.5, who apprehends arrest at the hands of the respondent Police for the offences under Sections 21(d, e, f), 41, 51, and 56 of the Tamil Nadu Forest Act, 1882 and 1992 in STOR No.01 of 2024, on the file of the respondent Police, seeks anticipatory bail.



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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 Accused No.5.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent Police.

4. Taking into consideration the facts and circumstances of the case and also considering the fact that the wooden logs and also the vehicle have been seized and Accused Nos.1, 2, 3, 6 and 7 were arrested and later, were enlarged on bail and there are no previous cases against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

5. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Bodinayyakanur, 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 the police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period



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of fifteen days, this order shall stand automatically cancelled;

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[b] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

[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 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 269 of BNS 2023.

sd/-
27/11/2024

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/ 12 /2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG
TO

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



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1 THE JUDICIAL MAGISTRATE
BODINAYYAKANUR.

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

3 THE FOREST OFFICER,
BODINAYAKKANUR RANGE,
BODINAYAKKANUR

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

ORDER
IN

CRL OP(MD) No.20634 of 2024

Date :27/11/2024

PSP/ VR /SAR /11.12.2024/ 4P/ 5C

Madurai Bench of Madras High Court is issuing certified
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