



CRL OP(MD) No.22194 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Third day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.22194 of 2023

FAHEEM KHAN

... PETITIONER/ ACCUSED No.2

Vs

THE FOREST RANGER
RAMANATHAPURAM FOREST RANGE,
RAMANATHAPURAM DISTRICT.
WLOR NO.39/2023.
COMPLAINANT

... RESPONDENT /

For Petitioner : MR.MAHENDRARAJAN B. Advocate

For Respondent : MR.SS.MADHAVAN, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

Prayer:

TO ENLARGE THE PETITIONER ON BAIL IN THE EVENT OF ARREST IN
RESPECT OF WLOR NO.39/2023 ON THE FILE OF THE FOREST RANGER,
RAMANATHAPURAM, RAMANATHAPURAM DISTRICT PENDING
INVESTIGATION AND THUS RENDER JUSTICE.

ORDER : The Court Made the following order :-



CRL OP(MD) No.22194 of 2023

WEB COPY

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 2(14), 2(16)(a)(b)(c), 9, 39(1)(a)(b)(d), 39(3)(a)(b)(c), 49-A(a)(b), 50, 57 and 51(1) of Wild Life Protection Act, 1972, in WLOR.No.39 of 2023, seeks anticipatory bail.

2.The case of the prosecution is that on 08.11.2023, at about 11.30 a.m, the respondent police were on their routine patrol duty at Thoppukadu, Devipattinam, they found 40 kg of boiled sea cucumber in the vessel namely 'Anda'. On enquiry, it came to know that the petitioner along with other accused continuously indulged in the similar type of offence. Hence, the Law Enforcing Authority, registered a case against the petitioner and others.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the petitioner is having no previous case. However, he is ready to abide any condition that may be imposed by this Court and also ready to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Arignar Anna Zoological Park, Grand Southern Trunk Road, Vandalur, Chennai-600 048, to show his bona-fide. Hence, he prays for grant of anticipatory bail to the petitioner.

4 The learned Government Advocate (Crl.Side) appearing for the State

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



CRL OP(MD) No.22194 of 2023

submitted that the petitioner has stolen the Court records from the Court. If he released on anticipatory bail, he will indulge in similar type of offence. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioner has come forward to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Arignar Anna Zoological Park, Grand Southern Trunk Road, Vandalur, Chennai-600 048, without prejudice to his rights and contentions to show his bona-fide, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is granted anticipatory bail and he is ordered to be released on 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 No.I, Ramanathapuram 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) if the petitioner failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall



CRL OP(MD) No.22194 of 2023

stand automatically cancelled;

(b) the petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) by way of Demand Draft in favour of Arignar Anna Zoological Park, Grand Southern Trunk Road, Vandalur, Chennai-600 048, for welfare of the animals.

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

(d) the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders;

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

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

(g) 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;



CRL OP(MD) No.22194 of 2023

WEB COPY

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

sd/-
03/01/2024

/ TRUE COPY /

/01/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

TO

- 1 THE JUDICIAL MAGISTRATE NO.I
RAMANATHAPURAM DISTRICT.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE FOREST RANGER
RAMANATHAPURAM FOREST RANGE,
RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



CRL OP(MD) No.22194 of 2023

COPY TO
THE OFFICER INCHARGE
ARIGNAR ANNA ZOOLOGICALPARK, GRAND SOUTHERN
TRUNK ROAD, VANDALUR,
CHENNAI - 600 048.

ORDER
IN
CRL OP(MD) No.22194 of 2023
Date :03/01/2024

PKP/VR/SAR- /05.01.2024/ 6P/6C

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