



CRL OP(MD) No.23567 of 2023

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

Friday, the Fifth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.23567 of 2023

G.MANOJ @ MANOJKUMAR

... PETITIONER/ ACCUSED RANK 2

Vs

THE FOREST RANGER
RAJAPALAYAM FOREST RANGE,
MEHAMALAI TIGER SANCUTUARY,
VIRUDHUNAGAR DISTRICT.
(W.L.O.R.NO.08/2023)

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.P.RENGARAJA, Advocate
for Mr.D.RAJABOOPATHY, Advocate

For Respondent : Mr.B.NAMBISELVAN, Additional Public Prosecutor

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

PRAYER:- To enlarge the petitioner accused on bail in WLOR No.08/2023 pending investigation on the file of respondent Forest Ranger, Rajapalayam Forest Range, Mehamalai Tiger Sanctuary Virudhunagar District and thus render justice.

ORDER : The Court Made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 2 (11, 14, 16, 20, 24A, 36, 37), 9, 11, 48,



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48A, 49A, 49B, 50, 51, 52 and 57 of Wildlife Protection Act, 1972 in W.L.O.R.No.08 of 2023 on the file of the Forest Ranger, Rajapalayam Forest Range, Mehamalai Tiger Sanctuary, Virudhunagar District, seeks anticipatory bail.

2.The case of the prosecution is that on 07.11.2023, at about 07.00 p.m., based on the secret information, the de-facto complainant along with forest officials conducted a vehicle check up and found that the petitioner and other accused were in possession of meat of wild animals. Hence, the Law Enforcing Authority, registered a case against the petitioner.

3.The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that A1 was already released on bail by the trial Court. However, he is ready to abide any condition that may be imposed by this Court and also ready to deposit a sum of Rs.50,000/- (Rupees Fifty 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 Additional Public Prosecutor appearing for the State submitted that the petitioner and other accused were found in illegal possession of meat of wood dog. Hence, he strongly opposed to grant anticipatory bail to the petitioner.



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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.50,000/- (Rupees Fifty 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 and A1 was already released on bail, 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 Court, Rajapalayam, Virudhunagar 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 stand automatically cancelled;

(b) The petitioner shall make a non-refundable deposit of Rs.50,000/- (Rupees Fifty Thousand) by way of Demand Draft/RTGS/NEFT to the credit



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of “The Director, Arignar Anna Zoological Park, Grand Southern Trunk Road, Vandalur, Chennai-600 048,” for welfare of the animals, without prejudice to his defence before the trial Court and submit the proof of payment of the said amount before the aforesaid learned Judicial Magistrate, who after perusing the challan/receipt/acknowledgement, shall accept the sureties furnished by the petitioner;

(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 as when required for interrogation;

(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



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SCW 5560]; and;

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

sd/-
05/01/2024

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

SJI
TO

1 THE JUDICIAL MAGISTRATE,
RAJAPALAYAM, VIRUDHUNAGAR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE FOREST RANGER
RAJAPALAYAM FOREST RANGE,
MEHAMALAI TIGER SANCUTUARY,
VIRUDHUNAGAR DISTRICT.

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

COPY TO:

THE DIRECTOR,
ARIGNAR ANNA ZOOLOGICAL PARK,
GRAND SOUTHERN TRUNK ROAD,
VANDALUR, CHENNAI-600 048



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+1 CC to M/s.D.RAJABOOPATHY, Advocate (SR-370[I] dated 09/01/2024)

ORDER
IN
CRL OP(MD) No.23567 of 2023
Date :05/01/2024

SA/VR/SAR. /11.01.2024/6P/7C

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