



Crl.O.P.No.1999 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2025

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.1999 of 2025

1. T.Arunachalam

2. V.Selvakumar

... Petitioners

Vs.

The State represented by,
The Forest Range Officer,
Mettur Range,
Mettur.

(W.L.O.R No.01 of 2025).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioners on bail, in connection with W.L.O.R.No.01 of 2025, pending investigation on the file of the respondent Police.

For Petitioners : Mr.R.Suryaprakash

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

Petition seeking bail in respect of W.L.O.R No.01 of 2025 registered for the offences punishable under Sections 39(b), 49(b) and Section 51 of Wild Life (Protection) Act, 1972 is on board for consideration.



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2. The incarceration of the petitioners being from 03.01.2025 pleading innocence on the part of the petitioners and false implication in the case, learned counsel for the petitioners seeks indulgence of this Court. He further submit that, petitioners were arrested on suspicion that they had gone to purchase the tusk and would further submit that, the tusks were possessed by A1 and A2. He further submits that the petitioners are ready to abide by any stringent condition that may be imposed by this court.

3. The case of the prosecution as putforth by the learned Government Advocate (Crl.Side) appearing for the respondent police, opposing for grant of bail, is that the petitioners along with other accused were found in possession of six elephant tusks. He further submit that the major part of the investigation is over. He also submits that there is no previous case pending against the petitioner.

4. Further, having heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record, this court is inclined to grant bail to the petitioners with certain conditions and accordingly, they are ordered to be released on bail on their executing a bond for a sum of **Rs.15,000/- (Rupees**



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Fifteen Thousand only) with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.1 at Mettur**, 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 petitioners shall report before the respondent police daily at 10.30.a.m., until further orders.

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners shall not tamper with evidence or witness 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]***;



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[f] If the accused thereafter absconds, a fresh FIR
can be registered under Section 269 of B.N.S.

29.01.2025

Sma

To

1. Judicial Magistrate No.1, Mettur.

2. The Forest Range Officer,
Mettur Range,
Mettur.

3. The Superintendent,
Central Prison, Salem.

4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

Sma

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