



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2025

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.4212 of 2025

Rajesh
S/o.Kuppan

...Petitioner/Accused 3

Vs.

State through
The Inspector of Police,
Jamunamarathur FRO,
Tiruvannamalai District.

(Crime No.STOR No. 01 of 2025)

...

Respondent

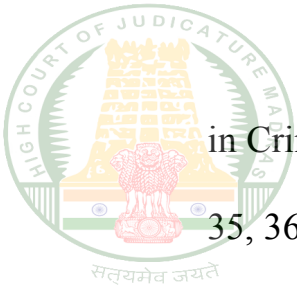
PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.STOR No. 01 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.E.Sathiyaraj

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 05.01.2025, seeking bail



in Crime No.STOR No. 01 of 2025 registered for the offence under Sections 35, 36-A, 36-E of 5th Act of Tamil Nadu Forest Act, 1882.

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2.It is the case of the prosecution that the petitioner along with the other accused was found in illegal transportation of 59 kgs of sandal wood in a vehicle bearing Registration No.TN-43-E-0328 and the enquiry revealed that the accused transported the said sandal woods from the reserve forest. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case and that the material has been recovered and the petitioner has no previous case against him and that the petitioner has been in custody from 05.01.2025 and hence, further custody of the petitioner is not required.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the petitioner the material has been seized and that no previous case is pending against the petitioner.



5.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6.Considering the period of incarceration and the fact that the contraband has been seized and no previous case is pending against the petitioner and since further custody of the petitioner is not required for the purpose of interrogation, this Court is inclined to grant bail to the petitioner with certain conditions.

7.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **Judicial Magistrate, Polur, Tiruvannalamai**, 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,
everyday at 10.30 a.m., until further orders;

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

[d] the petitioner 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
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]***;

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

18.02.2025

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Copy to:

1. The Inspector of Police,
Jamunamarathur FRO,
Tiruvannamalai District.
2. The Judicial Magistrate, Polur, Tiruvannamalai.
3. The Superintendent of Prison,
Central Prison, Vellore.
4. The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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