



WEB COPY



Crl.OP.No.6526 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.6526 of 2025

Perumal ... Petitioner /Accused

Vs.

The State represented by
The Inspector of Police,
Forest Range Officer,
Pennagaram, Dharmapuri District. ... Respondent/ Complainant
OR.No.429 of 2024

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to grant anticipatory bail to the petitioner herein in the event of their arrest or surrender in OR.No.429 of 2024 on the file of the respondent police.

For petitioner : Mr.M.Jaisingh

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 21(d), (e), (f), (g) and 50 d of the Forest Act V of 1882, in OR.No.429 of 2024 seeks anticipatory bail.



WEB COPY

2. The case of the prosecution is that the petitioner and his father have encroached upon reserved forest land and illegally removed trees.

3. The learned counsel for the petitioner would submit that the allegations are false; that the petitioner's father was arrested and released on bail; and that, in any case, custodial interrogation is not required and sought for anticipatory bail to the petitioners.

4. The petitioners have also filed an affidavit stating that they would not encroach upon reserved forest land.

5. Heard the learned Government Advocate (Crl.Side) who reiterated the prosecution case and confirmed the fact that A1 was arrested and released on bail.

6. Considering the nature of allegations, the fact that the petitioner has filed an affidavit as stated above, and since custodial interrogation of the petitioners is not required for the purpose of investigation, this Court is



inclined to grant anticipatory bail to the petitioners with certain conditions.

WEB COPY 7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy is made ready, before the **District Munsif cum Judicial Magistrate, Pennagaram**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and 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 appear before the respondent police daily at 10.30 a.m., until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;



CrI.OP.No.6526 of 2025

WEB COPY

[d] the petitioners 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 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]**;

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

13.03.2025

Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No
skr



CrI.OP.No.6526 of 2025

WEB COPY

- To
1. The Inspector of Police,
Forest Range Officer,
Pennagaram, Dharmapuri District.
 2. The Public Prosecutor,
Madras High Court,
Chennai.
 3. District Munsif cum Judicial Magistrate, Pennagaram.



WEB COPY



Crl.OP.No.6526 of 2025

SUNDER MOHAN, J.

skr

Crl.OP.No.6526 of 2025



WEB COPY



CrI.OP.No.6526 of 2025

13.03.2025