



Crl.O.P.No.7739 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.7739 of 2025

1. K. Alex Pandian, Male, Aged 45 years
S/o. Kannan

2. Arjun, M/33

3. Ajith, M/31

... Petitioners/Accused 1,2,3

Vs.

The State represented by,
Forest Range Officer,
Thammampatty Range,
Salem District
(WLOR No.1 / 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, to enlarge the petitioners on bail, in in WLOR No.1 of 2025, on the file of the respondent Police.

For Petitioners : Mr. M. Sarath Kumar

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



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ORDER

This Criminal Original Petition has been filed by the petitioners, who were arrested and remanded to judicial custody on 15.02.2025, seeking bail in WLOR No.1 of 2025 registered for the offences punishable under Sections 2(16),9,39,50,51(1) of Tamil Nadu Forest Act.

2. The case of the prosecution is that the petitioners had kept explosive substances for the purpose of hunting wild pigs and that when a dog had gone to that place, the explosives exploded and the dog died. Hence the case.

3. Learned counsel appearing for the petitioners submitted that the allegations against the petitioners are false; that only on suspicion, the FIR has been registered and that in any case, considering the period of incarceration and the further custody of the petitioner is not required, the petitioners may be released on bail.

4. Learned Government Advocate (Crl.Side) reiterated the case of the prosecution and submitted that the first petitioner had two previous cases similar in nature and those two cases are disposed of on payment of fine. The second and



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third petitioners have no previous cases.

5. Considering the nature of allegations against the petitioners, the period of incarceration and since further custody of the petitioner is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail on each of the petitioner 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 learned **Judicial Magistrate II (FAC), Attur**, 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, everyday 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



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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]***;

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

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To

1. The Judicial Magistrate II (FAC), Attur
2. Forest Range Officer,
Thammampatty Range,
Salem District
(WLOR No.1 / 2025)
3. The Superintendent,
Central Prison, Salem.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

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