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Crl.O.P.No.11161 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO.11161 of 2025

Sridharan
S/o. Varahachari

....Petitioner/Accused-1

Vs

State represented by
Forest Range Officer
Head Quarters (Wild Life)
Velacherry Road,
Kannigapuram, Guindy,
Chennai 600 032
(WLOR No.07/2025)

....Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of his arrest in WLOR No.07 of 2025 on the file of the respondent.

For Petitioner : Mr. A. Balamurugan

For Respondent : Mr. S.Balaji
Government Advocate (Crl. Side)



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ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 2, 39(1)(a),(b),(c),(d), 39(3) (a) (b), 44, 48A, 48(b)(ii), 49A, 49B, 50 r/w 51 of the Wild Life (Protection) Act, 1972, in WLOR No.07 of 2025, on the file of the respondent , seeks anticipatory bail.

2. The case of the prosecution is that the co-accused were in possession of the substance produced in the digestive system of sperm whales, which is prohibited, to the value of Rs.20,00,000/- and their confession revealed that the petitioner had supplied the same to them.

3. The learned counsel appearing for the petitioner would submit that the allegations are false; that apart from the confession, there is no other material to connect the petitioner with the alleged crime and that in any case the contraband was seized and hence custodial interrogation of the petitioner is not required and sought for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for



the respondent police reiterated the prosecution case and confirmed that the petitioner has no bad antecedent; that he is implicated on the confession of the co-accused and that the contraband was seized.

5. Considering, the aforesaid facts, the nature of allegations and the fact that the petitioner is implicated on the confession of the co-accused, and since custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner 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 on which the order copy made ready, before **the learned IX Metropolitan Magistrate, Saidapet, Chennai**, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



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[a] the petitioner 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 petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner 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 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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.



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To

1. The IX Metropolitan Magistrate, Saidapet, Chennai.
2. Forest Range Officer
Head Quarters (Wild Life)
Velacherry Road,
Kannigapuram, Guindy,
Chennai 600 032
3. The Public Prosecutor,
High Court, Madras.

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SUNDER MOHAN, J.

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