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Crl.O.P.No.14416 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2025

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.14416 of 2025

1. Ramar
2. Venkatasalam ... Petitioners

Vs.

State represented by,
The Forest Range Officer,
Mettur Range.
(WLOR No.12 of 2024) ... Respondent

PRAYER : Criminal Original Petition has been filed under Section 482 of BNSS to enlarge the petitioners on anticipatory bail in the event of his arrest by the respondent in WLOR No.12 of 2024 dated 06.04.2025 pending on the file of the respondent.

For Petitioners : M/s.V.Dhanalakshmi

For Respondent : Mr.R.Vinothraja
Government Advocate (Criminal Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 39(b), 49(b) r/w Section 51 of Wildlife Protection Act, in WLOR No.12 of 2024 on the file of the respondent police, seek anticipatory bail.



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2. The case of the prosecution is that the accused were found to be in illegal possession of two elephant tusks weighing 6.578 kilograms. Hence the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. He further submitted that the co-accused has already been enlarged on anticipatory bail by this Court in Crl.O.P.No.20301 of 2024. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for grant of anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record.

6. Considering the above facts and circumstances of the case and also taking note of the nature of allegation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate, Salem**, on condition that the petitioners shall



execute separate bond each for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties** each for a like sum to the satisfaction

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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 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 everyday at 10.30.a.m., for a period of two weeks and thereafter, as and when required for interrogation;

[c] the petitioners shall not abscond during 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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G.K.ILANTHIRAIYAN, J.

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

23.06.2025

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To

1. The Judicial Magistrate,
Salem.
2. The Forest Range Officer,
Mettur Range.
3. The Public Prosecutor,
High Court, Madras.

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