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CRL OP NO. 24585 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 17-09-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO. 24585 of 2025

Mahendran
S/o. Chellaiya, Door No. 6/270, Horasholai,
Westbrook, Kotagiri. The Nilgiris

Petitioner/A3

Vs

State Represented by, The Forest Range officer,
Kotagiri Forest Range, The Nilgiris.
(W.L.O.R.No.02/2025)

Respondent(s)

Criminal Original Petition filed under Section 482 of BNSS, Act, 2023 praying to enlarge the petitioners in the event of his arrest by the respondent police in pursuant to the FIR in WLOR.No. 02 of 2025 on the file of the respondent police.

For Petitioner(s): K Balasubramaniam

For Respondent(s): Mr.S.Udayakumar

Government Advocate [Criminal Side]

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 9, 39 and 51 of the Wild Life (Protection) Act, 1972 in Crime No. 02 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The allegation against the petitioner is that on 08.08.2025, an



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unknown vehicle hit a porcupine in Kotagiri and subsequently, an individual one Raju Thapa bought the carcass of the porcupine from the Mushroom Farm of the petitioner herein with the help of A2. Thereafter, the petitioner along with other accused cooked and eaten the meat of the porcupine. Hence the complaint.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has been falsely implicated in this case. He further submits that he has not committed any offence as alleged by the prosecution. He also submits that the petitioner is ready to abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for her release. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submits that there is no previous case pending against the petitioner herein. However, he opposed for grant of anticipatory bail to the petitioner.

5. Heard the learned counsels on either side and perused the materials available on record.

6. Considering the facts and circumstances of the case, submissions



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made by learned counsels on either side, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. 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 **Judicial Magistrate, Kotagiri**, on condition that the petitioner shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) If the petitioner fails to surrender before the concerned Magistrate, within a period of fifteen days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[c] the petitioner shall report before the respondent Police daily at 10.30 a.m for a period of



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one week and thereafter, as and when required for interrogation;

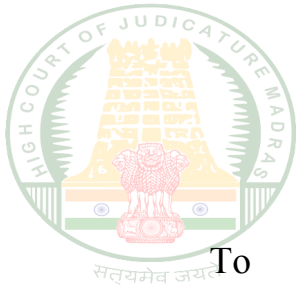
[d] the petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only) to the credit of W.L.O.R.No. 02 of 2025 on the file of Judicial Magistrate, Kotagiri, within a period of one week from the date of receipt of a copy of this order.

[e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

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To

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1. The Judicial Magistrate, Kotagiri.
2. The Forest Range officer,
Kotagiri Forest Range,
The Nilgiris.
(W.L.O.R.No.02/2025).
3. The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.



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