



Crl.O.P.No.26114 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **23-09-2025**

CORAM

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THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.26114 of 2025

Selvam

... Petitioner

Vs

The State rep. by,
The Inspector of Police,
Forest Range Officer Danishpet
Salem District
(WLOP No.03 of 2025)

... Respondent

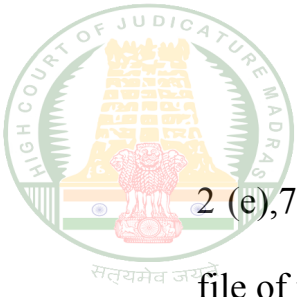
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in
(WLOP No.03 of 2025) on the file of the respondent police.

For Petitioner(s) : Mr.G. Kesavan

For Respondent(s) : Mr. A. Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
26.07.2025 for the offence under Sections 2(16), 2(35),9,39,50,52,56,57 and
51(1) of Wild Life Protection Act 1972 amended Act, 2022 List II, Part A,
Serial No.5, Indian Flying Fox Act, 1959 (Pteropus Giganteus) and Section



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2 (e), 7, 17 of Arms Act, 1959 in WLOR No.03 of 2025, registered on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that this petitioner joined hands with other accused and hunting flying foxes using a country made gun. Hence this petition.

3. The learned counsel appearing for the petitioner submitted that Co-accused in this case was granted bail by this Court in Crl.O.P.No.24105 of 2025 on 02.09.2025. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent while opposing the bail to the petitioner, reiterated the prosecution case and submitted that major part of the investigation is completed and the country made gun has been seized.



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5.Considering the facts and circumstances of the case, the period of incarceration undergone by the Petitioner and the fact that major part of the investigation is completed and the country made gun has been seized, this Court is inclined to grant bail to the petitioner herein with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail on their executing a bond for a sum of **Rs.25,000/- (Rupees twenty five Thousand only)** with **two sureties each** for a like sum to the satisfaction of the learned Judicial Magistrate No.2, Salem and on further conditions that:

[a] 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;

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

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



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SCC 283];

[d] If the accused thereafter abscond, a fresh FIR can

WEB COPY be registered under Section 269 of B.N.S.

23.09.2025

smn

Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



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To

1. The Inspector of Police,
Forest Range Officer Danishpet
Salem District.
2. The Judicial Magistrate No.2, Salem
3. The Superintendent, Central Prison, Salem
4. The Public Prosecutor,
High Court of Madras.

K. RAJASEKAR, J.

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