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Crl.O.P.No.29783 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.29783 of 2025

1. Annachi
2. Jayabalan

... Petitioners

Vs.

The State Rep by
The Forest Range Officer,
Polur, Tiruvannamalai District.

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioners on bail in
W.L.O.R.No.6 of 2025 pending on the file of the respondent.

For Petitioners : Mr.B.Jawahar

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

ORDER

The petitioners, who were arrested and remanded to judicial
custody on 24.09.2025, for the offence punishable under Sections 21(d), (h)
of TNFA V Act, 1882 Sections 9, 39, 51 of WLP Act 1972 and 25(1)(a) of



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Indian Arms Act, 1959 registered in WLOR.No.6 of 2025 on the file of the respondent, seek bail.

2. The allegation against the petitioners is that the petitioners have entered into the Reserve Forest without any prior permission or approval from the officials concerned for hunting wild animals and also the petitioners were found in possession of country made gun and also in possession of 1 dead rabbit. Hence, the respondent police registered the case as against the petitioner.

3. The learned counsel appearing for the petitioners submitted that petitioners have not committed any such offence as alleged by the prosecution and they have been falsely implicated in this case and they are in custody from 19.10.2025. Hence, he prayed for grant of bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and there are no previous case against the petitioners. However, he vehemently opposed to grant that Hence, he opposed for grant of bail to the petitioners.

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



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6. Considering the fact that the period of incarceration and the petitioners are not having any previous cases, this Court is inclined to grant bail to the petitioners with certain conditions:

7. Accordingly, the petitioners are ordered to be released on bail on their executing separate bonds 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 **Judicial Magistrate, Polur** 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 petitioners shall report before the respondent police daily at 10.30.a.m., for a period of three weeks and thereafter as and when required for interrogation;

[c] the petitioners shall make themselves available for interrogation by a Police Officer as and when required;

[d] the petitioners shall not directly or indirectly cause any threat to the defacto complainant and witnesses;



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[e] the petitioners to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] 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]**;

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

03.11.2025

Vv

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
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- 1.The Judicial Magistrate,
Polur.
- 2.TheThe Forest Range Officer,
Polur, Tiruvannamalai District.
- 3.The Central Prison, Vellore.
- 4.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J

Vv

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