



WEB COPY

Crl.O.P.No.31005



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.31005 of 2025

M.Elumalai

... Petitioner

-VS-

State Rep by,
The Forest Range Officer,
Polur Forest Range Office,
Thiruvannamalai District.
(Crime No.STOR.2 of 2024)

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioner on bail in the event of his arrest in Crime No.STOR.2 of 2024 on the file of the respondent police.

For Petitioner : Mr.S.B.Viswanathan

For Respondent : Ms.J.R.Archana,
Government Advocate (Crl. Side)

**ORDER**

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The petitioner, who apprehends arrest for the alleged offence punishable under Sections 21(d)(e)(f), 35, 36, 41, 51, 49(A), 49B, 49G, 56, 56B, 56C and 56D of the Tamil Nadu Forest Act, 1882 (Act V of 1882), Sections 2, 3(i) and 9 of T.T.Rules, 1968, and Sections 2, 3 and 4 of the T.N.Timber (Movement Control) Order, 1982, in Crime No.STOR.2 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The allegation against this petitioner is that, this petitioner joining hands with 3 other accused, involved in cutting down 16 red sandal trees within the jurisdiction of Polur Forest Range and had taken away 14 base part of the tree. While transporting, the Forest Officers intervened and arrested A1 to A3 and they were able to recover only 3 pieces and remaining are yet to be recovered. Further on investigation it revealed that this petitioner participated in the occurrence and some portions of the trees were seized from him. Hence this case.

3. The learned counsel appearing for petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.



4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that out of 14 base pieces of trees only 3 base pieces of trees has recovered, the petitioner is also having one previous case similar in nature. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of this case, the properties is not yet recovered and the petitioner is also having bad antecedents and one previous case, if the petitioner granted anticipatory bail he will hamper the investigation and indulge in similar activities and in the similar offence, and this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

19.11.2025

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To

- 1.The Forest Range Officer,
Polur Forest Range Office,
Thiruvannamalai District.
- 2.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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