



CRL OP(MD). No.2539 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Muhaideen Seeni

... Petitioner/ Sole Accused

Vs

The State of Tamilnadu,
Rep. by Forest Range Officer,
Mandapam Wildlife Range,
Mandampam,
Ramanthapuram District.
(In W.L.O.R.No. 20 of 2024).

... Respondent/Complainant

For Petitioner : Mr.S. Manojkumar,
Advocate.

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- To enlarge the petitioner/accused on bail in the event of his arrest in
W.L.O.R. No 20 of 2024 pending investigation on the file of the respondent police
ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 06.02.2025
under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to



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grant an order of pre-arrest bail.

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2. The petitioner / sole accused, apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 9, 39(1) (a, b, d), 39 (3) (a, b, c), 40(2), 50, 51(1), 52 and 57 of Wild Life Protection Act, in WLOR No. 20 of 2024 on the file of the respondent.

3. The case of the prosecution is that on 04.10.2024, based on the secret information received by the respondent, they have conducted a raid in the company of the petitioner and at that time, the petitioner herein was illegally found in possession of 160 Kgs of Sea Cucumber (Kadal Attai). Hence, the complaint.

4. Mr.S. Manoj Kumar, the learned counsel for the petitioner, submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and a false case has been foisted against the petitioner. Hence, he prays for grant of pre-anticipatory bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, the learned Government Advocate (Criminal Side) appearing for the respondent, submits that it is a third pre-arrest bail petition and the investigation in this case has already been completed and the charge sheet is yet to be filed. He further submits that there is one previous case pending against the petitioner, which is similar in nature, hence, he prays for dismissal of this petition.



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6. Heard on both sides. This Court has perused the records.

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7. This Court has perused the previous order, passed by this Court in Crl.O.P (MD).Nos.13430 and 18130 of 2024 filed by the petitioner for grant of pre-arrest bail. Considering the change of circumstances and also considering the nature of offence allegedly committed by the petitioner and considering the fact that the petitioner has permanent residence and has deep roots in the society and therefore, there is less possibility of absconding and with a view to give one more opportunity to the petitioner to reform himself, this Court is inclined to grant pre-arrest bail to the petitioner. Accordingly, pre-arrest bail is granted to the petitioner subject to the following conditions:

(i) The petitioner shall be released on pre-arrest bail in the event of his arrest or in the event of his surrender before the learned District Munsif - cum - Judicial Magistrate, Rameshwaram, Ramanathapuram District, within a period of 15 days from date on which the order copy is made ready, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the said Magistrate.

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of



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Practice, 2019']. The learned Judicial Magistrate shall obtain a copy of any one of
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identity proofs to ensure their identity.

(iii) Thereafter, the petitioner shall appear before the respondent daily at 10.30 am and 5.00 pm until further orders.

(iv) The petitioner shall furnish his residential address and mobile number to the concerned Magistrate.

(v) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence.

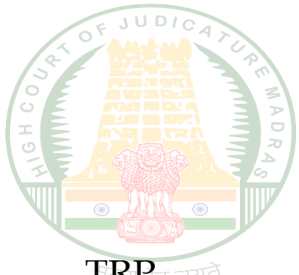
(vi) On breach of any of the aforementioned conditions, the learned Judicial Magistrate or Trial Court as the case may be, is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
14/02/2025

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/02/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TRP
TO
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1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
RAMESHWARAM,
RAMANATHAPURAM DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, RAMANATHAPURAM DISTRICT.

3 THE FOREST RANGE OFFICER,
MANDAPAM WILDLIFE RANGE,
MANDAMPAM,
RAMANTHAPURAM DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.S.MANOJ KUMAR, Advocate (SR-1805[I] dated 18/02/2025)

ORDER
IN
CRL OP(MD) No.2539 of 2025
Date :14/02/2025

SA/SKN/SAR. /26.02.2025/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.