



CRL OP(MD). No.3496 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24.03.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.3496 of 2025

S.Kavitha

... Petitioner/ Accused rank not
known

Vs

The State of Tamil Nadu
Rep. by The Forest Ranger,
Bodinayakkanur Forest Range,
Theni.

STOR No.1 of 2024

... Respondent/Complainant

For Petitioner : Mr.R.Pon Karthikeyan
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For pre-arrest bail in STOR No.1 of 2024 on the file of the respondent.

ORDER : The Court made the following order :-



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This Criminal Original Petition has been filed by the petitioner on 21.02.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to grant an order of pre-arrest bail.

2. The petitioner/Accused rank not known apprehends arrest at the hands of the respondent for the offences punishable under Sections 21(d, e, f), 41, 51, 56(b) of Tamil Nadu Forest Act (Amendment Act, 1992) in STOR No.1 of 2024 on the file of the respondent.

3. The case of the prosecution is that based on the secret information, on 13.10.2024, when the respondent was on surveillance, they found that the other accused persons/A1 to A7 were in illegal possession of scheduled Timber, namely, Karungali Tree (Ceylon ebony). The respondent secured them. Based on the confessions of A1 to A7, the petitioner has been arrayed as A8. Hence, this case.

4. Mr.R.Pon Karthikeyan, the learned counsel appearing for the petitioner, submits that the petitioner is an innocent person and that she has not committed any offence as alleged by the prosecution. He further submits that the petitioner has been falsely implicated in this case. He further submits that as directed by this Court vide order, dated 04.03.2025, the petitioner appeared before the respondent and gave a



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statement on 14.03.2025. He further submits that the other accused persons/ A1 to A7 have already been released on bail. He further submits that the petitioner is ready to abide by any conditions that may be imposed by this Court. Hence, he prays for grant of pre-arrest bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, the learned Government Advocate (Crl.Side) appearing for the respondent, on instructions, submits that the petitioner appeared before the respondent on 14.03.2025 and gave a statement and that the investigation is complete. However, he prays to dismiss this Criminal Original Petition.

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

7. As directed by this Court, the petitioner appeared before the respondent and gave a statement on 14.03.2025. The investigation is complete. In view of the above, this Court is of the opinion that the custody of the petitioner is not necessary for the Investigation Agency in this case. Considering the same and also considering the facts and circumstances of the case and the nature of the offence allegedly committed by the petitioner, and with a view to give an opportunity to the petitioner to reform herself, this Court is inclined to grant an order of pre-arrest bail to the petitioner subject to the following conditions:

(i) The petitioner shall be released on bail in the event of her arrest or in the event of her surrender before the learned Judicial Magistrate, Bodinayakkanur,



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within a period of 15 days from the date on which the order copy is made ready, on
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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 learned Judicial Magistrate,
Bodinayakkanur;

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

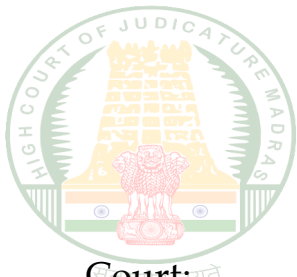
(iii) The petitioner shall furnish her residential address and mobile number to
the learned Judicial Magistrate, Bodinayakkanur;

(iv) The petitioner shall appear and sign before the respondent weekly twice
i.e., Sunday and Wednesday at 10.00 a.m., until further orders;

(v) The petitioner shall make herself available for interrogation by a police
officer as and when required;

(vi) The petitioner shall not, directly or indirectly make any inducement, threat
or promise to any person acquainted with the facts of the case so as to dissuade him
from disclosing such facts to the Court or to any police officer;

(vii) The petitioner shall not leave India without previous permission of the



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Court: அடை

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

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Bodinayakkanur, 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.

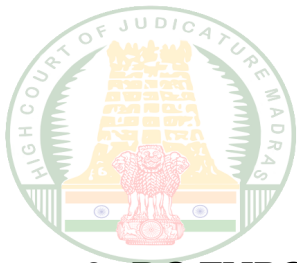
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24/03/2025

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/04/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

APD
TO

1 THE JUDICIAL MAGISTRATE
BODINAYAKKANUR.



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2 DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THENI.

3 THE FOREST RANGER,
BODINAYAKKANUR FOREST RANGE,
THENI.

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

+1 CC to M/s.R.PON KARTHIKEYAN, Advocate (SR-3404[I] dated 25/03/2025)

ORDER
IN
CRL OP(MD) No.3496 of 2025
Date :24/03/2025

HPS/SAR / 22.04.2025/6P/6C

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