



CRL OP (MD) No.5989 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02.04.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP (MD) No.5989 of 2025

Jegadish Chandrabose

... Petitioner/ Accused No.2

vs.

The State of Tamil Nadu
Rep. by the Inspector of Police,
Forest Range, R.S.Mangalam,
Ramanathapuram District.
W.L.O.R.No.1 of 2025

... Respondent/Complainant

For Petitioner : Mr.D.Rameshkumar

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

PETITION FOR BAIL Under Sec.483 of BNSS, 2023

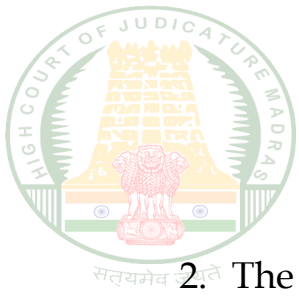
PRAYER :- For bail in W.L.O.R.No.1 of 2025 on the file of the respondent.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 28.03.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to

grant bail

<https://www.mhc.tn.gov.in/judis>



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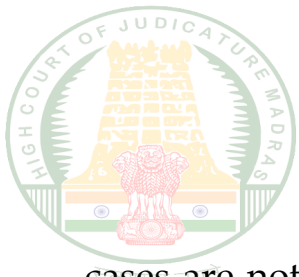
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2. The petitioner/A2 was arrested and remanded to judicial custody on 13.02.2025 for the alleged offences punishable under Sections 2(32), 39(1)(b), 39(1)(d), 39(1)(d)(5), 40, 42, 43, 44, 49B, 50, 51(1), 52 and 57 of Wild Life Protection Act, 1972 in W.L.O.R.No.1 of 2025 on the file of the respondent.

3. The case of the prosecution is that on 13.02.2025, during patrolling duty, the officials of Kenikarai Police Station, intercepted a car bearing Registration No.TN 59 CM 1339 and found 'whale ambergris'. Hence the case.

4. Mr.D.Rameshkumar, learned counsel appearing for the petitioner, submits that the petitioner did not commit any offence as alleged by the prosecution and that he has been falsely implicated in this case. He further submits that the petitioner has been in judicial custody since 13.02.2025 and is ready to abide by any condition to be imposed by this Court. He therefore prays to grant bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl. Side) appearing for the respondent, submits that in this case, there are totally 7 accused persons and the petitioner is A2. He further submits that A7 is still at large and A4 to A6 were already arrested and released on bail by the concerned Judicial Magistrate. He further submits that the value of recovered 'whale ambergris' is one crore. He further submits that the petitioner has 6 previous cases, of which four cases were disposed of and two cases were deferred as 'mistake of fact' and that the previous



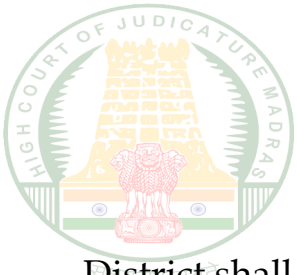
cases are not similar in nature. However, he prays to dismiss this Criminal Original
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Petition.

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

7. The petitioner was arrested on 13.02.2025 and has been in judicial custody since then. The previous cases against the petitioner are not similar in nature. The petitioner has permanent residence and deep roots in the society, and therefore, there is less possibility of absconding. Considering the same, the fact that the respondent seized the 'whale ambergris' and the period of incarceration, this Court is of the view that further custody of the petitioner is not necessary for the investigation agency. Hence, this Court is inclined to grant bail to the petitioner, however, subject to certain conditions. Accordingly, bail is granted to the petitioner subject to the following conditions:

(i) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees One Lakh only) along with two sureties each for a like sum of Rs.1,00,000/- (Rupees One Lakh only) to the satisfaction of the learned Judicial Magistrate No.I, Kenikarai, Ramanathapuram District;

(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 No.I, Kenikarai, Ramanathapuram



CRL OP (MD) No.5989 of 2025

District shall obtain a copy of any one of identity proofs to ensure their identity;

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(iii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.I, Kenikarai, Ramanathapuram District;

(iv) The petitioner shall appear and sign before the respondent daily at 10.00 a.m., until further orders;

(v) The petitioner shall attend in accordance with the conditions of the bond to be executed under Chapter XXXV of BNS, 2023;

(vi) The petitioner shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected;

(vii) 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/ranger or tamper with the evidence; and

(viii) On breach of any of the aforementioned conditions, the learned Judicial Magistrate No.I, Kenikarai, Ramanathapuram District 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].



CRL OP (MD) No.5989 of 2025

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

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02/04/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MBI
TO

- 1 THE JUDICIAL MAGISTRATE NO.I,
KENIKARAI, RAMANATHAPURAM DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, RAMANATHAPURAM DISTRICT.
- 3 THE OFFICER INCHARGE,
DISTRICT PRISON, RAMANATHAPURAM.
- 4 THE INSPECTOR OF POLICE,
FOREST RANGE, R.S.MANGALAM,
RAMANATHAPURAM DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN
CRL OP(MD) No.5989 of 2025
Date :02/04/2025

SA/SAR. /02.04.2025/5P/6C

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