



CRL OP(MD). No.9698 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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1.Serkalai,
S/o.Ayyanan

2.Karnan,
S/o.Sadayathevar

3.Sekaran @ Rajasekaran,
S/o.Ramar

4.Othakannan @ Karuppasamy,
S/o.Vanam

... Petitioners/ A1 to A4

Vs

The State of Tamil Nadu,
Rep. by the Forest Ranger Officer,
Kandamanur Forest Ranger Office,
Kandamanur, Theni District.
(W.L.O.R.No.2 of 2025)

... Respondent/Complainant

For Petitioners : Mr.Kannan Gurusami,
Advocate



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For Respondent : Mr.S.Prakash,
Government Advocate
(Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in W.L.O.R.No.2 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 to A4, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 2(16), 9, 39, 49(B), 50 and 51 of Wild Life Protection Act, 1972 in W.L.O.R.No.2 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 29.05.2025, at about 6.30 p.m., the petitioners, along with other accused, killed a deer and was in the process of butchering it. When the respondent police arrived at the scene, the petitioners fled, and the 5th accused was apprehended by the respondent police. Upon enquiry, the 5th accused is said to have confessed that the petitioners had killed the deer and that the 5th accused joined them during the butchering of the animal. Hence, the present case.



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3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and have not committed any offence as alleged by the prosecution. He, however, submitted that the petitioners are willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) submitted that there are totally five accused persons in this case and the petitioners, who are farmers, have been arrayed as A1 to A4. A5 was arrested and subsequently released on bail by this Court on 01.07.2025 in CrI.O.P.(MD) No.11075 of 2025. The respondent police have already seized the carcass of the deer from the possession of the accused. He further submitted that there are no previous cases registered against the petitioners. However, he opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, and also taking note of the fact that there are no previous cases registered against the petitioners, and that one of the co-accused was arrested and subsequently released on bail by this Court, and that the petitioners are farmers, and that the carcass of the deer had already been seized from the possession of the accused, and that as the date of occurrence is



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29.05.2025, by this time most of the investigation might have been completed, this
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Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Andipatti, Theni District on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Judicial Magistrate, Andipatti, Theni District and on further conditions that:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall furnish their residential address and mobile number to the learned Judicial Magistrate, Andipatti, Theni District. In the event of any change in their residential address, the petitioners shall report the same to the



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learned Judicial Magistrate, Andipatti, Theni District;

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(c) the petitioners shall report before the respondent/Forest Range Officer, Gandamanur daily at 10.30 a.m., until further orders;

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court themselves as laid down by the Hon'ble Supreme Court in *P.K.Shaji Vs. State of Kerala* [(2005) AIR SCW 5560]; and;

(g) if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

Sd/-

09.07.2025

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/ /2025

Sub Assistant Registrar(CS)
Madurai Bench of Madras High Court

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TO
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- 1.The Judicial Magistrate,
Andipatti, Theni District.
- 2.Do Through The Chief Judicial Magistrate,
Andipatti, Theni District.
- 3.The Forest Ranger Officer,
Kandamanur Forest Ranger Office,
Kandamanur, Theni District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.9698 of 2025

Date : 09/07/2025

JJ/23.07.2025 6P/ 5C

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