



CRL OP(MD).No.10146 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.10146 of 2025

1.M.Sivakumar,
S/o.Muthaiyasamy,

2. Hariharan,
S/o.Arumugam

..Petitioners/ Accused
Nos.4 & 5

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
FRO Kadayanallur P.S.
Tenkasi District.
(WLOR.No.3 of 2025)

... Respondent/Complainant

For Petitioner : Mr.C.Saravanakumar
Advocate.

For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS



CRL OP(MD).No.10146 of 2025

PRAYER :- For Bail in Crime No.3 of 2025 on the file of the Respondent Police.

WEB COPY

ORDER : This Court made the following order :-

The petitioners / Accused Nos.4 & 5, who were arrested and remanded to judicial custody on 31.05.2025 for the offences punishable under Sections 2(1), 2(11), 2(14), 2(16), 2(20), 2(35), 2(36), 2(37), 39(1)(b), 39(1)(d), 49A, 50(1), 51, 52, 57 of Wild Life (Protection) Act in WLOR.No.3 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the respondent police while surveillance duty, they found that the petitioners and others were in possession of flesh of deer by hunting it. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offences as alleged by the prosecution. In this case there are totally five accused person. These petitioners are arrayed as A4 & A5. The petitioners are ready and willing to abide and conditions that may be imposed by this Court. He would further submit that the petitioners are in custody from 31.05.2025 nearly 22 days. Hence, he seeks bail.



CRL OP(MD).No.10146 of 2025

WEB COPY

4. The learned Government Advocate (Criminal Side) would submit that during the routine surveillance duty, the respondent police found that these petitioners and other accused was in illegal possession of flesh of deer and getting the same by way of hunting. In this case, there are totally five accused persons. These petitioners were arrayed as Accused Nos.4 & 5. The Accused Nos.1 & 3 are absconding. There is no previous case against these petitioners. However, he strongly objected to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that in this case, the entire property was seized, there is no previous case against these petitioners, the petitioners/accused Nos.4 & 5 remanded into judicial custody on 31.05.2025, taking into consideration of the period of incarceration, this court is inclined to grant bail to the petitioners, subject to the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail on executing separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of Judicial Magistrate, Tenkasi and on



CRL OP(MD).No.10146 of 2025

further conditions that :-

WEB COPY

[a] 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 contact number to the Judicial Magistrate, Tenkasi. If the petitioners changes their residential address, they shall report the same to the Judicial Magistrate, Tenkasi;

[c] the petitioners shall appear and sign before the respondent police daily at 10.30 a.m., until further orders.

[d] the petitioners shall not abscond either during investigation or trial.

[e] the petitioners shall not tamper with evidence or witness 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 petitioner in accordance with



CRL OP(MD).No.10146 of 2025

सत्यमेव जयते
WEB COPY

law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

sd/-
23/06/2025

/ TRUE COPY /

23/06/2025
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

GVN

TO

1 THE JUDICIAL MAGISTRATE
TENKASI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TENKASI.

3 THE INSPECTOR OF POLICE
FRO KADAYANALLUR P.S.,
TANKASI DISTRICT.

4 THE OFFICER INCHARGE
SUB JAIL, TENKASI.



CRL OP(MD).No.10146 of 2025

WEB COPY

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

+1 CC to M/s.C.SARAVANAKUMAR, Advocate (SR-6645[I] dated 23/06/2025)

ORDER

IN

CRL OP(MD) No.10146 of 2025

Date :23/06/2025

SS/SAR- /23/06/2025/ 6P/7C

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