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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.10894 of 2025

Basir Mohamed @ Basheer
S/o.Meerasha

... Petitioner/ A3

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Thiruppunavasal MPS Police Station,
CSGCID Nagapattinam,
Pudukkottai District.
(Crime No.1 of 2025)

... Respondent/Complainant

For Petitioner : Mr.D.Ramesh Kumar,
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS.

PRAYER :-

For Anticipatory Bail in Crime No.1 of 2025 on the file of the Respondent Police.



ORDER : The Court made the following order :-

The petitioner/A3, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 9, 50, 51(1), 51(1)(1B), 39(1)(a)(b) (d), 39(3)(a)(b)(c) and 40(2) of Wild Life (Protection) Act, 1972 in Crime No.1 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that during coastal patrol, the petitioner and other accused said to have escaped from the respondent police by leaving two buckets, while searching the said buckets, they found 120 pieces of sea cucumber. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He has been falsely implicated in this case.

4.The learned Government Advocate (Criminal Side) would submit that the properties were recovered and the investigation is in progress.

5. Considering the facts and circumstances of the case and taking into account of the fact that the properties have already been recovered and also considering the fact as the date of occurrence is 17.06.2025, by this time most of the investigation



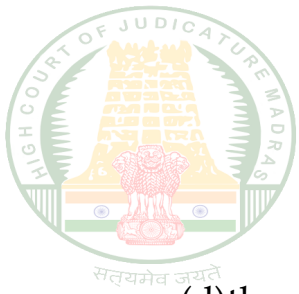
would likely have been completed, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Aranthangi, Pudukkottai District, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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, Aranthangi, Pudukkottai District, and on further conditions that:

(a) the petitioner 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 petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate, Aranthangi, Pudukkottai District. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate, Aranthangi, Pudukkottai District;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;



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

(e) the petitioner 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 petitioner in accordance with 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]*; and;

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

sd/-
04/07/2025

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

TO

1 THE JUDICIAL MAGISTRATE,
ARANTHANGI,
PUDUKKOTTAI DISTRICT.



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3 DO THROUGH,
THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI.

4 THE INSPECTOR OF POLICE,
THIRUPPUNAVASAL MPS POLICE STATION,
CSGCID - NAGAPATTINAM,
PUDUKKOTTAI DISTRICT.
CRIME NO.1 OF 2025.

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

ORDER

IN

CRL OP(MD) No.10894 of 2025

Date :04/07/2025

MGJ/18.07.2025 5P/ 6C

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