



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-05-2026

CORAM

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL OP No. 12881 of 2026

Bagiyaraj
Son of Ponnaya
16/116, Majakampai Bazar Post
Melur,
The Nilgiris - 643 221

..Petitioner/
Single Accused

Vs

State rep by Forest Range Officer,
Kundah Forest Range,
The Nilgiris
(in W.L.O.R.NO. 01 of 2026)

..Respondent/
Complainant

PRAYER :- Criminal Original Petition filed under Sec.482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant pre-arrest bail to the petitioner in W.L.O.R.NO. 01 of 2026 on the file of the Forest Range Officer, Kundah Forest Range, The Nilgiris.

For Petitioner: Mr.V.Murugesan
Advocate.

For Respondent: Mr.V.Meganathan,
Government Advocate
(Criminal Side)



ORDER

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This Criminal Original Petition has been filed by the petitioner on 21.04.2026 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioner apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 2(2), 2(16), 9 read with Section 51 of Wild Life Protection Act, 1972, in W.L.O.R. No.01 of 2026 on the file of the respondent-police.

3. The case of the prosecution is that the Range Officer, Kuntha Range had preferred a Wild Life Criminal Report, alleging that one Gopika, accountant of Manjakombai temple gave an information that a Leopard lying in dead condition and another Leopard drown in the water canal. After enquiry, the fact reveals that the said Leopards catching the sheep, which was belonged to the petitioner. However, the post mortem certificate reveals that the above said leopards were died due to poison. Hence, the case.

4. Mr.V.Murugesan, the learned counsel for the petitioner, submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner had filed a



petition in Crl.O.P.No.5552 of 2026 seeking anticipatory bail and the same was dismissed by this court vide order dated 16.03.2026. He would submit that now the respondent police had completed the investigation and filed the charge sheet. Hence, the custody of the petitioner may not require for the respondent police. He however submits that the petitioner is ready to abide by any conditions to be imposed by this Court and he has no previous case. Accordingly, he prays to grant an order of pre-arrest bail to the petitioner.

5. *Per contra*, Mr.V.Meganathan, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the respondent police completed the investigation and filed the charge sheet. However, he prays to dismiss this Criminal Original Petition.

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

7. Considering the fact that the respondent police filed the charge sheet, this Court is of the view that custodial interrogation of the petitioner is not required at this stage. Therefore, 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 pre-arrest bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate,



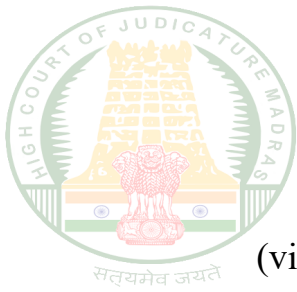
Ooty, The Nilgiris District, within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned **Judicial Magistrate, Ooty, The Nilgiris 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, Ooty, The Nilgiris District** shall obtain a copy of any one of identity proofs to ensure their identity.

(iii) The petitioner shall appear and sign before the respondent-police daily at 10.00 a.m. and 05.30 p.m. until further orders.

(iv) The petitioner shall make himself available for interrogation by a police officer as and when required.

(v) 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.



(vi) The petitioner shall also not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence.

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

(viii) The petitioner shall furnish his residential address and mobile number to the concerned Magistrate.

(ix) On breach of any of the aforementioned conditions, the learned **Judicial Magistrate, Ooty, The Nilgiris District** 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 them 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*.

20-05-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

RPP/JRS



Note:-

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1. Registry is directed to forthwith upload this order in the official website of this Court.

2. All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.

To

1. The Judicial Magistrate, Ooty, The Nilgiris District.
2. The Forest Range Officer, Kundah Forest Range, The Nilgiris.
3. The Public Prosecutor, High Court, Madras.



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R.SAKTHIVEL, J.

RPP/JRS

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