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Crl.OP.No.35604 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2026

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.35604 of 2025

Nayaz Khan

... Petitioner

Vs.

State Rep by
The Forest Range Officer,
Hosur Forest Range, Hosur.
S.T.O.R No.1/2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge him on bail in the event of his arrest in STOR.No.1 of 2025 on the file of the learned Judicial Magistrate-II, Hosur.

For Petitioner : Mr.T.Ananthasekar

For Respondent : Ms.J.R.Archana
Government Advocate (Crl. Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 35, 35(b), 41 and 56 of Tamilnadu Forest Act, 1882 and Rule 9 of Tamil Nadu Timber Transit Rules, 1968 in S.T.O.R.No.1 of 2025 on the file of the respondent police. seeks anticipatory bail.



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2. The allegation against the petitioner is that the petitioner has found in illegal possession of 703 kgs of Red Sandal Woods. The petitioner is ranked as A2 who is the owner of the property, which led to the registration of the FIR. Hence, the present case.

3. The learned counsel appearing for the petitioner submitted that the alleged seizure was taken place on 26.02.2025. After five months, A1 was arrested in this case and based on the confession recorded from him, this petitioner has been impleaded as against the accused and prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the statement recorded from A1 reveals that this petitioner is one who store the Red Sandal Woods in the premises belongs to A1 and investigation in this case is pending. Hence, she opposed the grant of anticipatory bail to the petitioner.

5. Heard the learned counsel on either side and perused the materials available on record.

6. Considering the fact that the properties already recovered and the recovery was effected in the month of February 2025 and the first accused



was released on bail and the petitioner is having no previous case, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance within a period of fifteen (15) days from the date on which the order copy made, before the learned **Judicial Magistrate-II, Hosur** on condition that the petitioner shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with two **sureties** each for a like sum to the satisfaction learned Magistrate concerned, and on further condition that:

(a) If the petitioner fails to surrender before the concerned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) The sureties shall affix their photographs and left thumb impression in the application for surety ship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) **The petitioner shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;**



(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 actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

(g) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

05.01.2026

Vv

To

1. The Judicial Magistrate-II, **Hosur**
2. The Forest Range Officer,
Hosur Forest Range, Hosur.
3. The Public Prosecutor
High Court of Madras,
Chennai 600 104.



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K.RAJASEKAR, J.

Vv

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