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Crl.MP(MD) No.2068 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05-02-2026**

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THE HONOURABLE MR JUSTICE MOHAMMED SHAFFIQ

Crl MP(MD).No.2068 of 2026

in

Crl.RC(MD).No.975 of 2025

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Petitioner(s)

Vs

The State of Tamilnadu
Rep by Boothapandi Forest Range Officer
Kanyakumari District.

Respondent(s)

For Petitioner(s):

Mr.Ananth

For Respondent(s):

Mr.M.Karunanithi
Government Advocate (Crl.Side)

Prayer in Crl.MP.(MD).No.2068 of 2026:

To relax the 4th Condition imposed by this Court in the order dated 15.10.2025 passed in Crl MP(MD) No.10239/2025 in Crl RC(MD) No.975/2025 and thus render justice.



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ORDER

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The present Criminal Miscellaneous Petition is filed seeking relaxation of Condition No. 11(4) imposed by this Court vide order dated 15.10.2025, whereby the petitioner was directed to appear before the Special Court for Forest Offence Cases, Kanyakumari District. The relevant portion of the said order is extracted hereunder:

"(4) The petitioners shall appear before the Special Court for Forest Offence Cases, Kanyakumari District, once in every month, i.e., on the first working day, commencing from the month of November, 2025 at 10.30a.m. until further orders.

2. Learned counsel for petitioner would submit that petitioner is engaged in an overseas assignment and he is employed with RARR Nuts Trading LLC, Dubai, UAE. The petitioner has received a communication dated 20.01.2026 from the said company directing him to rejoin duty immediately. The relevant portion of the said communication is extracted hereunder:



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"With reference to your employment with (RARR Nuts Trading LLC), you are hereby directed to report back for duty immediately and resume your services without any further delay.

You are requested to report to RARR Nuts Trading LLC, Office No.305, AL Fahim Building Deira, Dubai, UAE on or before 05.02.2026 and meet Mr.Chenthil Chandra Bose, Manager for joining formalities and work allocation.

This Communication is issued on account of immediate business requirements and operational exigencies. You are advised to treat this as urgent. In case you are unable to report as instructed, you shall inform the undersigned in writing with reasons and supporting details at the earliest."

3. Learned counsel for petitioner submits that petitioner has been orally instructed that if he does not rejoin duty, there is a threat of removal from service. In these circumstances, the petitioner has filed the present miscellaneous petition seeking modification of Condition No.4 imposed by this Court vide order dated 15.10.2025. He further submits that the petitioner has been offered with an assignment which may extend up to October-2026, and it is necessary for him to take up the said assignment as it is essential for his livelihood.



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4. Mr.M.Karunanithi, learned Government Advocate (Crl. Side), appearing for the respondent, on the other hand, would submit that the petitioner may be directed to furnish two blood sureties and file an undertaking affidavit before the concerned Court stating that he would return to India in the month of October 2026; make himself available before the concerned Court as and when required; and ensure that he would co-operate with further proceedings and would not adopt any dilatory tactics.

5. Today, learned counsel for the petitioner has also filed an undertaking affidavit and placed it before this Court. The relevant portion of the said undertaking affidavit is extracted hereunder:

"3. I hereby solemnly undertake that I will not follow any dilatory practice, nor will I directly or indirectly cause delay in the disposal of the above proceedings, and I will fully cooperate with the hearing of the criminal revision and all connected proceedings.



4. *I also undertake that I will give blood surety before the Trial Court, namely, the Special Court for Forest Offence Cases, Kanyakumari District, in the manner and within the time that may be directed by this Hon'ble Court and/or by the Trial Court, and I will comply with all formalities relating thereto.*

5. *I further undertake that I will return to India in the month of October-2026, and I shall make myself available to the Trial Court/this Hon'ble Court as and when required, and I shall not evade the process of law under any circumstance.*

6. *I further undertake that I shall comply with the final outcome/order passed in Crl.RC(MD).No.975 of 2025 and any connected proceedings, and I shall abide by such directions as may be issued by this Hon'ble Court and/or the Trial Court.*

7. *I submit that this undertaking is given voluntarily, bonafide, and in compliance with the direction of this Hon'ble Court dated 02.02.2026. I respectfully pray that this Hon'ble Court may be pleased to record this undertaking and pass such further orders as deemed fit and proper."*



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6. In view thereof, this Court is inclined to accept the prayer of petitioner and the condition No.11(4) stands modified and instead, the following conditions shall be added:

a) Petitioner is directed to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two blood sureties each for a like sum to the satisfaction of Special Court for Forest Offence Cases, Kanyakumari District.

b) Petitioner shall file an undertaking affidavit before the Special Court for Forest Offence Cases, Kanyakumari District stating that he would return to India in the month of October 2026; make himself available before the concerned Court as and when required and cooperate with further proceedings and would not adopt any dilatory tactics.

7. Accordingly, this Criminal Miscellaneous Petition is disposed of.

05-02-2026

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To:

The Special Court for Forest offence Cases,
Kanyakumari District



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MOHAMMED SHAFFIQ, J

gvn

ORDER
IN

Crl MP(MD) No.2068 of 2026

in

Crl.RC(MD).No.975 of 2025

05/02/2026