



CRL OP(MD). No.4788 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05.03.2026

PRESENT

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

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Poosaidurai

... Petitioner / Accused
Rank Not Known

Versus

The State of Tamilnadu,
Rep by the Forest Range Officer,
Chokammpatti FRO,
Tenkasi District.
(W.L.O.R.No.7 of 2022)

... Respondent / Complainant

PRAYER :-Criminal Original Petition filed under Section 482 of the BNSS, 2023, to enlarge the petitioner on bail in the event of arrest in W.L.O.R.No.7 of 2022 on the file of the respondent or on his appearance.

For Petitioner : Mr.S.Sundarapandian

For Respondent : Mr.M.Karunanithi,
Government Advocate
(Criminal Side)



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ORDER : The Court made the following order :-

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The petitioner/Accused, who apprehends arrest at the hands of the respondent in W.L.O.R.No.7 of 2022 for the offences punishable under Sections 21(d) and 51 of the Tamil Nadu Forest Act, 1882, Sections 2(1), 2(11), 2(14), 2(16), 2(20), 2(35), 2(36), 2(37), 9, 31, 39(1)(b), 39(1)(d), 44(1), 49-A, 49-B, 50(1), 52, 57 and Sections 7, 25(1)(a) and 25(1)(b) of the Arms Act, 1959, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and other accused persons were found in possession of a gun and had hunted animals. Hence, the respondent Forest Officer registered a case against the accused persons for the above offences.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and that he has not committed any offence as alleged by the prosecution. He further submitted that the occurrence took place in the year 2022 and that the only allegation against the petitioner is that he had given his country-made gun to the other accused. Hence, he prayed for the grant of anticipatory bail to the



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petitioner.

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4. The learned Government Advocate (Criminal Side) appearing for the respondent submitted that though the petitioner has no previous cases, the overt act attributed to the petitioner constitutes an offence. Hence, he objected to the grant of anticipatory bail to the petitioner.

5. This Court heard the learned counsel on either side and perused the materials placed on record.

6. Considering the facts and circumstances of the case and also taking into account the fact that the petitioner has no previous antecedents and co-accused stated that he alone gave the said gun, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, this petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date on which the order made



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ready, before the learned Judicial Magistrate Court, Tenkasi, 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 Magistrate concerned 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 appear and sign before the respondent police daily at 10.30 a.m. for a period of fifteen (15) days and thereafter, as and when required for interrogation. He has to co-operate for the investigation;

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

(d) the petitioner shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate



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action against the petitioner in accordance with law as if the conditions have been imposed and the petitioners 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

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

05.03.2026

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To

1. The Judicial Magistrate Court,
Tenkasi.
2. The Forest Range Officer,
Chokammpatti FRO,
Tenkasi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.K.RAMAKRISHNAN,J.

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ORDER
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