



**IN THE COURT OF VACATION SESSIONS JUDGE, (PRINCIPAL
SESSIONS COURT) RAMANATHAPURAM.**

Present: **Thiru. B.C.Gopinath, M.L.,
Vacation Sessions Judge, I/c.**
Sessions Judge, Magalir Neethimandram,
Fast Track Mahila Court,
Ramanathapuram.

Thursday, the 09th day of May 2024

CrI.M.P.No.2/2024

(CNR No. TNRM-00-000008-2024)

Namburajan, (aged 43)
S/o.Chellasamy.

...Petitioner/Accused

/vs/

State, through the Forest Ranger,
Mandapam Forest Range,
in WLOR No.10/2024.

...Respondent/Complainant

For Petitioner : Tr.T.M.Arunkannan, B.A., B.L., Advocate.

For Respondent : Tr.B.Karthikeyan, B.A., B.L., Public Prosecutor.

ORDER

This is a petition for anticipatory bail U/s.438 Cr.P.C.

The petitioner/accused who apprehends arrest for alleged offences U/s.9, 39(1) (a, b, d), 39(3)(a, b, c), 40(2), 50, 51(1), 52 and 57 of Wild Life Protection Act in WLOR No.10/2024 of respondent police seeks Anticipatory Bail.

2. According to the prosecution at the time of patrolling by Forest Officials on 18.04.2024 at about 8.00 a.m they found that the petitioner illegally hoarded 130 kgs of boiled and processed sea cucumber worth Rs.10,50,000/- in an old rental house. Further the properties involved in this case were seized by the respondent.



There after the case has been registered.

3. The Learned Counsel for the petitioner would contend that the petitioner is innocent and has been falsely implicated in the above case. Properties involved in this case have already been seized by the police. He would further submit that earlier application was dismissed by the Principal Sessions Court in CrI.M.P.No.1721/2024 on 26.04.2024 and most of the investigation has already been completed. He would further submit that there is no possibility to tamper with the evidence. Hence, he prays to grant anticipatory bail to the petitioner.

4. The Learned Public Prosecutor has strongly opposed granting anticipatory bail on the ground that the petitioner was found in possession of huge quantity of sea cucumber valued at Rs.10,50,000/-. Further he would contend that the properties have already been seized by the respondent. Investigation is not yet complete. Further he would submit that custodial interrogation is required. Earlier application was dismissed by the Principal Sessions Court on 26.04.2024 and there is no change of circumstances from the earlier dismissal order.

5. Considering the submissions made by both side Counsel and that there is no change of circumstances from the earlier dismissal order and huge value of properties have seized from the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the anticipatory bail petition is stands dismissed.

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Pronounced by me in open Court this the 09th day of May 2024.

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Date: 2024.05.09
20:49:28 +0530
Vacation Sessions Judge, I/c.
Ramanathapuram.
09.05.2024

Copy sent through e-mail:-

To

The Public Prosecutor, Ramanathapuram.

The Inspector of Forest Ranger, Mandapam P.S.,

The petitioner through his Counsel.

TNRM000000132024



**IN THE COURT OF VACATION SESSIONS JUDGE, (PRINCIPAL
SESSIONS COURT) RAMANATHAPURAM.**

Present: **Thiru. B.C.Gopinath, M.L.,**
Vacation Sessions Judge, I/c.
Sessions Judge, Magalir Neethimandram,
Fast Track Mahila Court,
Ramanathapuram.

Thursday, the 09th day of May 2024

Crl.M.P.No.3/2024

(CNR No. TNRM-00-000013-2024)

and

Crl.M.P.No.4/2024

(CNR No. TNRM-00-000014-2024)

Poovendran, (aged 42/2024),
S/o.Sundarraaj.

...Petitioner/Accused No.1

Crl.M.P.No.4/2024

Sathiyendran, (aged 38/2024),
S/o.Kalimuthan.

...Petitioner/Accused No.2

/vs/

State, through the Inspector of Polic
Ramanthapuram Town P.S.,
in Cr.No.119/2024

...Respondent/Complainant

For Petitioners :Tr. Deva.Manoharan Martin, B.A., B.L.,

For Respondent : Tr. B.Karthikeyan, B.A., B.L., Public Prosecutor

COMMON ORDER

This is a petition for anticipatory bail U/s.438 Cr.P.C.

The petitioners/accused who apprehend arrest for alleged offences U/s.379

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IPC and Section 21(4) of MMDR Act in Cr.No.119/2024 of respondent police seek Anticipatory Bail.

2. According to the prosecution, on 27.04.2024 at about 9.00 p.m. the police party led by Thiru.M.Raja, Special Sub-Inspector, which included Thiru. Arunchandradoss, Head Constable 1343 and Thiru.Kamaladasan, Head Constable 1633 were on duty to prevent illegal quarry of sand on a tip off, they found a Tractor with Trailer bearing Reg.No.TN 60 Y 0076 on Ramanathapuram – Madurai road in Karunkulam Oorani, the Tractor had river sand driven by the petitioner. In spite of inspection from the police station from the vehicle the petitioner drove the Tractor and fled the scene. The FIR further reached the police party was unable to seize and apprehend the petitioner with the Tractor. On enquiry the police party learnt that the A2 Sathiyendran (petitioner in CrI.M.P.No.4/2024) is the owner of the Tractor and Trailer and therefore the Special Sub-Inspector named Raja gave a Special Report to the Ramanathapuram B1 Town Police Station. The Sub-Inspector of Police, Town Police Station, Thiru.Bose has registered the case in Cr.No.119/2024 for remand offences u/s.379 IPC and Section 21(1) of MMDR Act.

3.The learned counsel for the petitioner, at the 1st instance has contended that the case is foisted and petitioners are innocent. He would further contend that A2 Sathiyendran is not the owner of the Tractor bearing Reg.No. TN 60 Y 0076 and in



support of the contention produced a photocopy of the Registration Certificate of the Tractor and Trailer. He would further contend that if the petitioners are released on bail, they are ready to furnish sufficient sureties and abide by any condition that may be imposed by this court.

4. On the other hand, the learned Public Prosecutor has contended that, the investigation is in preliminary stage and the vehicle with mines has not been recovered till date. He would further contend that there is a necessity for custodial interrogation as the vehicle involved in transportation of sand should be recovered and hence objected granting bail to the petitioners.

5. This court has considered the averments and also perused the CD file produced by the Inspector of Police, B1 Town Police Station. When noticing various flaws in investigation, it is seen that missing that the statement of the members of the police party alone have been recorded u/s.161(3) Cr.P.C. and prima facie, there is no material to show that A2 Sathiyendran is the owner of the vehicle involved in the illegal transportation of the river sand. But however, it appears that the police have only gone by the oral statement as to the ownership of Tractor and when vehicle has not been recovered by the investigating agency, it would be inappropriate to grant anticipatory bail in a case whether illegally quarry is alleged. For the aforesaid reasons, this court is not inclined to grant anticipatory bail to both

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the petitioners. Hence petition stands dismissed.

In the result, petition is dismissed.

Pronounced by me in open Court this the 09th day of May 2024.

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by B C
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Date: 2024.05.09
20:49:36 +0530
Vacation Sessions Judge, I/c,
Ramanathapuram.
09.05.2024

Copy sent through e-mail:

To
The Public Prosecutor, Ramanathapuram.
The Inspector of Police, Ramanathapuram Town P.S.,
The Petitioners through their Counsel.



**IN THE COURT OF VACATION SESSIONS JUDGE, (PRINCIPAL
SESSIONS COURT) RAMANATHAPURAM.**

Present: **Thiru. B.C.Gopinath, M.L.,**
Vacation Sessions Judge I/c,
Sessions Judge, Magalir Neethimandram,
Fast Track Mahila Court,
Principal District and Sessions Judge, (I/c)
Ramanathapuram.

Thursday, the 09th day of May 2024

CrI.M.P.No.6/2024
(CNR No. TNRM-00-000011-2024)

Kumaraguru, (aged 28),
S/o.Muthuramalingam.

...Petitioner/Accused No.3

/vs/

State, through the Inspector of Police
Rameswaram Town P.S.,
Cr.No.83/2024.

...Respondent/Complainant

For Petitioner : Tr.T.M.Arunkannan, B.A., B.L., Advocate.
For Respondent : Tr.B.Karthikeyan, B.A., B.L., Public Prosecutor.

ORDER

This is a petition for anticipatory bail U/s.438 Cr.P.C.

The petitioner/accused who apprehends arrest for alleged offences U/s.4(1) (aaa) and 24 of Tamil Nadu Prohibition Act in Cr.No.83/2024 of respondent police seeks Anticipatory Bail.

2. Heard both side and perused the records.

3. According to the prosecution, on 11.04.2024 at about 9.30 a.m. the respondent



police received a report that wine bottles were transported in a two-wheeler used for selling fish. On the information, the police party went to Meyyampuli Kattupillaiar Kovil Street area where the two-wheeler bearing Reg.No.TN 65 Q 0113 was found near the place use for dumping garbage. When the police tried to apprehend, both (A2 and A3) left the place and fled the scene. A1 was apprehended and he confessed that they purchased the wine bottles from the Task Mark shop and sold it for unlawful gain without license. A1 allegedly confessed that he purchased bottles and left it to the custody of A4. The total number of bottles recovered is 570.

4. The Learned Counsel for the petitioner would contend that the petitioner is innocent and he has been implicated only on the basis of bad antecedents. He would also contend that vehicle and the properties have been recovered and investigation is almost completed. He has also submitted that A2 was granted anticipatory bail by the Principal Session Judge while A4 was granted anticipatory bail by the Hon'ble High Court. A1 was released on bail by the Judicial Magistrate, Rameswaram. Therefore he prays for anticipatory bail stating that he will not tamper the witnesses and abscond.

5. The Learned Public Prosecutor has fairly conceded that the investigation is completed and final report is likely to be laid. The petitioner allegedly assisted in transporting liquor bottles and handed those to A4.

6. Considering the above facts and circumstances, this court has inclined to



grant anticipatory bail to the petitioner.

7. Accordingly the petitioner is granted anticipatory bail and he is ordered to be released on bail in the event of arrest or on his appearance before the learned **District Munsif-cum-Judicial Magistrate, Rameswaram** on executing a bond for Rs.10,000/- with two sureties for a like sum each to the satisfaction of the Judicial Magistrate concerned within 15 days from the date of this order, failing which the order shall stand cancelled automatically. Further the petitioner shall adhere to the following conditions:-

i) Before execution of bond, **the petitioner shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) as non-refundable deposit to the Credit of District Mediation Centre, Ramathapuram;**

ii) that the petitioner shall make himself available for interrogation by a police officer as and when required,

iii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against them so as to dissuade them from disclosing such facts to the court or to any police officer,

iv) **that the petitioner shall appear before the learned District Munsif-cum-Judicial Magistrate, Rameswaram everyday at 10.30 a.m until further orders;**

v) that the petitioner shall not abscond either during the investigation or trial.



8. 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 enlarged on anticipatory 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).

9. If the petitioner thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

Pronounced by me in open Court this the 09th day of May 2024.

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GOPINATH** Digitally signed
by B C
GOPINATH
Date: 2024.05.09
20:50:09 +0530
Vacation Sessions Judge, (I/c)
Ramanathapuram.
09.05.2024

Copy sent through e-mail:

To
The District Munsif-cum-Judicial Magistrate, Rameswaram.
The Public Prosecutor, Ramanathapuram.
The Inspector of Police, Sayalkudi P.S.,
The Petitioner through his Counsel.



**IN THE COURT OF VACATION SESSIONS JUDGE, (PRINCIPAL
SESSIONS COURT) RAMANATHAPURAM.**

Present: **Thiru. B.C.Gopinath, M.L.,
Vacation Sessions Judge, I/c.**
Sessions Judge, Magalir Neethimandram,
Fast Track Mahila Court,
Ramanathapuram.

Thursday, the 09th day of May 2024

CrI.M.P.No.65/2024

(CNR No. TNRM-00-000067-2024)

Manikandan,(aged 32/2024),
S/o.Karunaneethi.

....Petitioner/Accused No.1

/vs/

State, through the Inspector of Police
Pamaban P.S.,
Cr.No.75/2024

...Respondent/Complainant

For Petitioner : Tr.S.Shanmuganathan, M.A., B.L., Advocate.
For Respondent : Tr.B.Karthikeyan, B.A., B.L., Public Prosecutor.

ORDER

PETITION FOR RELAXATION OF CONDITION U/S.439(1)(b) OF Cr.P.C.

ORDER

Heard both side and perused the records.

2. The application is filed by the petitioner/ Accused in Cr.No.75/2024 on the file of the respondent police. Notice for the said application is given to the Learned Public Prosecutor.

3. The respondent police has filed a case against the petitioner in Cr.No.75/2024 U/s.143, 447, 427, 294(b), 323, 324, 506(ii) IPC and section 4 of TNPHW Act. The

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petitioner was already granted anticipatory bail on 18.04.2024. The learned Public Prosecutor has stated that the petitioner has complied the condition before the learned District Munsif-cum-Judicial Magistrate, Kamuthi daily twice at 10.30 a.m., and 5.00 p.m., until further orders. Subsequently above said condition was modified as per order in CrI.M.P.No.1755/2024 dated 26.04.2024 and the petitioner has been complying the condition before the District Munsif-cum-Judicial Magistrate, Rameswaram from 27.04.2024 to 09.05.2024. No deviation of condition reported.

4. Considering the nature and circumstances of the case, this Court is inclined to relax the condition imposed upon the petitioner. Accordingly, the condition is fully relaxed and the petitioner shall appear before the Investigating Officer as and when required for interrogation.

Pronounced by me in open Court on this the 09th day of May 2024.

B C
GOPINATH
Vacation Session Judge (i/c)
Ramanathapuram.

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by B C
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Date: 2024.05.09
20:49:16 +0530

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Copy sent through e-mail

To

The District Munsif-cum-Judicial Magistrate, Rameswaram,

The Public Prosecutor, Ramanathapuram,

The Inspector of Police, Pamban P.S.,

The petitioner through his counsel



IN THE COURT OF VACATION SESSIONS JUDGE, (PRINCIPAL SESSIONS COURT) RAMANATHAPURAM.

Present: **Thiru. B.C.Gopinath, M.L.,**
Vacation Sessions Judge,
Sessions Judge, Magalir Neethimandram,
Fast Track Mahila Court,
Principal District and Sessions Judge, (I/c)
Ramanathapuram.

Thursday, the 09th day of May 2024

CrI.M.P.No.56/2024
(CNR No. TNRM-00-000069-2024
and
CrI.M.P.No.58/2024
(CNR No. TNRM-00-000069-2024

1. Muthulakshmi, (aged 48), (A5)
W/o.Varatharajan.
2. Varatharajan, (aged 58), (A6)
S/o.Ramaraj.
3. Anitha, (aged 36), (A8)
S/o.Krishna Murthi.

CrI.M.P.No.58/2024

Gunalan, (aged 28/2024) (A9)
S/o.Shanmugam.

...Petitioners/Accused

/vs/

State, through the Inspector of Police,
Paramakudi Town P.S.,

Cr.No.64/2020

...Respondent/Complainant

For Petitioners (A5, A6, A8): Tr.R.Balaji, M.Com., L.L.B., Advocate.

For Petitioner (A9) : Tr.K.Rajiv Gandhi, M.Sc., B.L., Advocate.



For Respondent : Tr.B.Karthikeyan, B.A., B.L., Public Prosecutor.

COMMON ORDER

These are petitions for anticipatory bail U/s.438 Cr.P.C.

2. The petitioners stands charge for offences u/s.306 IPC in PRC.No.53/2023 before the learned Judicial Magistrate, Paramakudi.

3. According to the prosecution, the deceased Nivetha and A1 Nagaiah are husband and wife. A4 is the younger brother of A1 and A7 is his wife. A1 and deceased were living in a house owned by A2 Ranganayaki and her husband. A3 Krishnamoorthy is the eldest brother of A1 and he was living in same house with his wife A8. A5 Muthulakshmi and her husband A6 Varadharajan are residing nearby. A9 Gunalan is living in the house opposite to the house of the deceased. A1 was employed abroad and he came to India on one month leave. In such circumstances, the deceased Nivetha is alleged to have developed a relationship with A9 Gunalan and they were frequently speaking over phone. A8 Anitha informed A1 about this. Therefore there was frequent quarrel between the deceased and A1. Nagaiah went back abroad in 2019 and came back for his father funeral. While so, the relatives of A1 picked a quarrel with deceased and her parents for not doing the customary rituals for the death of A1's father. While so, on 17.02.2020 A1 found the deceased speaking



to A9 over phone and shouted at her with suspicion. Due to the humiliation, Nivetha committed suicide by consuming rodenticide (rat poison). After investigation, a final report was filed against A1 to A9 for offence u/s.306 IPC and the case was taken on file by the learned Judicial Magistrate, Paramakudi in PRC.No.53/2023 and hearing is posted for 28.06.2024. In this circumstances, A5, A6, A8 and A9 (petitioners in both the petitions) have approached this court for anticipatory bail when summons were issued for their appearance.

4. There is no dispute with regard to the fact that final report u/s.173(2) Cr.P.C. has been laid and the learned Judicial Magistrate, Paramakudi has taken cognizance in PRC.No.53/2023 and issued summons for the appearance of the petitioners.

5. In such circumstances, the learned Judicial Magistrate would have directed the petitioners to enter into bonds for their appearance by invoking powers u/s.88 Cr.P.C. However, according to the learned counsel for the petitioner, the learned Judicial Magistrate has directed the petitioners to obtain anticipatory bail. In the above circumstances, when final report is laid and the petitioners are likely to be appear before the Judicial Magistrate, Paramakudi, this court is of the considered view that the petitioners can be granted anticipatory bail. Accordingly the petitioners are granted anticipatory bail and they are ordered to be released on anticipatory bail

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in the event of arrest or on their appearance before the learned **Judicial Magistrate, Paramakudi** on executing a bond for Rs.10,000/- each with two sureties for a like sum each to the satisfaction of the Judicial Magistrate concerned within 15 days from the date of this order, failing which the order shall stand cancelled automatically. The petitioners co-operate with the early committal of this case.

Pronounced by me in open Court this the 09th day of May 2024.

Digitally signed
by B C
GOPINATH
Date:
2024.05.09
20:49:47 +0530
Vacation Sessions Judge, (1/c)
Ramanathapuram.
09.05.2024

Copy sent through e-mail:

To
The Judicial Magistrate, Paramakudi.
The Public Prosecutor, Ramanathapuram.
The Inspector of Police, Paramakudi Town P.S.,
The Petitioners through their Counsel.



IN THE COURT OF VACATION SESSIONS JUDGE, (PRINCIPAL SESSIONS COURT) RAMANATHAPURAM.

Present: **Thiru. B.C.Gopinath, M.L.**,
Vacation Sessions Judge, I/c.
Sessions Judge, Magalir Neethimandram,
Fast Track Mahila Court,
Ramanathapuram.

Thursday, the 09th day of May 2024

Crl.M.P.No.07/2024
(CNR No. TNRM-00-000010-2024)

Kumaraguru, (aged 28),
S/o.Muthuramalingam.

...Petitioner/Accused

/vs/

State, through the Inspector of Police
Pamban P.S.,
in Cr.No.80/2024.

.....Respondent/Complainant

For Petitioner : Tr.T.M.Arunkannan, B.A., B.L., Advocate.
For Respondent : Tr.B.Karthikeyan, B.A., B.L., Public Prosecutor.

ORDER

This is a petition for Anticipatory Bail U/s.438 Cr.P.C.

The petitioner is the accused in Cr.No.80/2024 on the file of the respondent P.S., for alleged offences U/s. U/s. 4(1)(aaa) of TNP Act seeks anticipatory bail.

2. Heard both side and perused records.

3. According to the prosecution, based on an information, the respondent police went to the occurrence place on 11.04.2024 at about 7.00 a.m, and found that the petitioner was in illegal possession of 565 brandy bottles (each



180 ml) in an auto to sell those at higher prices without any licence. On seeing the police, the petitioner escaped from the occurrence place. Properties have already been seized by the respondent police. Thereafter the case has been registered.

3. The Learned Counsel for the petitioner would contend that the petitioner is innocent and has been falsely implicated in the above case. Properties involved in this case have already been seized by the police. He would further submit that earlier application was dismissed by the Principal Sessions Court in CrI.M.P.No.1700/2024 on 25.04.2024 and most of the investigation has already been completed. He would further submit that there is no possibility to tamper with the evidence. Hence, he prays to grant anticipatory bail to the petitioner.

4. The Learned Public Prosecutor has opposed granting anticipatory bail on the ground that the petitioner is having 14 previous cases out of which 4 cases are similar nature and he is a habitual offender. Further he would contend that the properties have already been seized by the respondent police. 2 witnesses have been examined. Investigation is yet to be completed. Earlier application was dismissed by the Principal Sessions Court on 25.04.2024.

5. Considering the submissions made by both sides and that facts and

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circumstances and bad antecedents of the petitioner and stage of the investigation, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the anticipatory bail petition is stands dismissed.

Pronounced by me in open Court this the 09th day of May 2024.

Digitally signed
by B C
GOPINATH
Date: 2024.05.09
20:50:24 +0530
Vacation Sessions Judge, I/c.
Ramanathapuram.
09.05.2024

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To

The Public Prosecutor, Ramanathapuram.

The Inspector of Police, Pamban P.S.,

The petitioner through his Counsel.