
(2026) 01 MAD CK 1783

In the Madras High Court, Madurai Bench

Case No : Criminal Original Petition (MD) No. 249 Of 2026

Ashok

APPELLANT

Vs

State Of Tamilnadu

RESPONDENT

Date of Decision : 12-01-2026

Acts Referred:

Wild Life (Protection) Act, 1972 — Section 49A, 49B, 49C, 50, 51
Bharatiya Nyaya Sanhita, 2023 — Section 269

Citation : (2026) 01 MAD CK 1783

Hon'ble Judges : S.Srimathy, J

Bench : Single Bench

Advocate : A.Uthaya Kumar, S.S. Manoj

Judgement

S.Srimathy, J

1. The petitioner, who was arrested and remanded to judicial custody on 28.11.2025 for the offences punishable under Sections 49A, 49B, 49C, 50, 51 of Wild Life Protection Act 1972 and amended in 2002 in WLOR.No.18 of 2025 on the file of the respondent seeks bail.

2. The case of the prosecution is that the petitioner herein along with other accused was found in illegal possession of one set of elephant ivory for purpose of sale and the same have been recovered. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is ready and willing to abide by any conditions which may be imposed by this Court and he is in judicial custody from 28.11.2025. Hence, he seeks bail to the petitioner.

4. The learned Government Advocate (Crl. side) would submit that the offence committed by the petitioner is serious in nature and the investigation of the case is pending and hence, he opposed for grant of bail to the petitioner.

5. Considering the facts and circumstances of the case and that the property has been recovered and also considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following conditions: :

6. Accordingly, the petitioner is ordered to be released on bail on executing 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 learned Judicial Magistrate No.I, Sivagangai, and on further conditions that :-

[a] 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 before the respondent daily at 10.00 am and 5.00 pm until further orders.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] 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 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.