

(2011) 02 KAR CK 0034
In the Karnataka High Court
Case No : Criminal P. No. 263 of 2011

Kochamanda Sandeep and Madanda Raghu
Vs

APPELLANT

State of Karnataka

RESPONDENT

Date of Decision : 09-02-2011

Acts Referred:

Karnataka Forest Act, 1963 — Section 71 A
Wild Life (Protection) Act, 1972 — Section 39 (3) (a) (b), 44, 49, 9

Citation : (2011) 02 KAR CK 0034

Hon'ble Judges : V. Jagannathan, J

Bench : Single Bench

Advocate : I.M. Devaiah and Associates, for the Appellant; P.M. Nawaz, Addl. SPP, for the Respondent

Final Decision : Allowed

Judgement

V. Jagannathan, J.—Heard Petitioners counsel and learned Addl. S.P.P for the Respondent-State in respect of bail sought by the Petitioners who are accused of having committed offences punishable under Sections 9, 39(3)(a)(b) , 44, 49 of the Wild Life Protection Act r/w Section 71A of the Karnataka Forest Act.

2. Submission of Petitioners counsel is that, the only allegation against the Petitioners is that, they are said to have carried tiger skin and as the Petitioners are in custody for more than seven months, having regard to the nature of offences alleged, Petitioners be released on bail.

3. Above submission made by the Petitioners counsel is also being supported by the submission of learned Addl. S.P.P insofar as the Petitioners having been found carrying tiger skin with them and taking note of the punishment prescribed for the aforementioned offences, in my view the Petitioners can be released on bail by imposing conditions. Hence, I pass the following order.

The petition is allowed by imposing the following conditions:

1. The Petitioners shall be released on bail on each of them executing a personal

bond for Rs. 25,000/- with two sureties for the likesum, to the satisfaction of the trial court.

2. They shall not hamper the investigation and shall not give threat to the prosecution witnesses in any manner.

3. They shall mark their attendance before the jurisdictional police on every Saturday between 10.00 a.m. and 5.00 p.m.

4. They shall appear before the trial court on all the dates of hearing without fail.