

CNR : MHGA08-000414-2015



R.C.C.No.60/2015
State through RFO
Vrs Shamrao Veladi
& Ors.

ORDER BELOW EXH.01

1] Perused the record. Heard the learned counsel for complainant Adv. Shri R.S.Undirwade and the learned counsel for accused No.1 and 2 Adv. Shri T.J. Kondagorla.

2] On perusal of record, it appears that the complainant examined two witnesses i.e. forest guard R.R. Narnavare and Shri S.N. Rathod before framing charge. The learned counsel for complainant filed the pursis at Exh.41 on 28-12-2017 and submitted that they examined two witnesses and therefore, they don't want to examine any witness till the framing of charge.

It is the allegations of the complainant that the accused No.1 and 2 as well as accused No.3 had hidden the skin of Tiger, 9 nail and 3 teeth of Tiger. the forest officer Shir L.M.Patil and other employee seized the aforesaid articles from the custody of accused. It is also alleged that the accused No.1 Shamrao Veladi kept the skin of Tiger, nails and teeth of tiger in his custody in order to sell to the other person. Therefore, they committed an offence under section

2, 9, 31, 32, 39, 43, 44, 49 b, 50, 51 punishable with section 51 of the Wild Life Protection Act, 1972.

3] On perusal of evidence adduced by the complainant, it prima facie appears that the complainant made out case against accused No.1 and 2 for the aforesaid offence. My learned predecessor passed an order on 26-12-2016 and the trial of accused No.1 and 2 is separated from the absconded accused No.3.

4] So, on reading the evidence of the complainant, I am of opinion that, it is necessary to frame the charge against accused No.1 and 2. The commencement of trial against accused No.1 and 2 is required. Accordingly, I proceed to pass the following order.

ORDER

- 1] The charge be framed against accused No.1 and 2 for section 2, 9, 31, 32, 39, 43, 44, 49-b, 50 punishable with section 51 of the Wild Life Protection Act, 1972.
- 2] The accused No.1 and 2 are directed to remain present on next date for framing of charge.

Sironcha.
Dt.25.01.2019.

Sd/-
(D. D. Fulzele)
Judicial Magistrate, First Class,

Sironcha.