



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Twenty Eighth day of July Two Thousand Sixteen
PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP (MD) No.13083 of 2016

WEB COPY

1 A. PONRAJ

2 NAVEEN LIGAMANIRAJ

... PETITIONERS/ACCUSED No.1 & 3

Vs

STATE REP.BY

THE INSPECTOR OF POLICE

TIRUCHENDUR POLICE STATION,

THOOTHUKUDI DISTRICT.

(CR.NO. 274 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S N.ANANDHA KUMAR Advocate

For Respondent : MR.P.KANNITHEVAN, Govt. Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

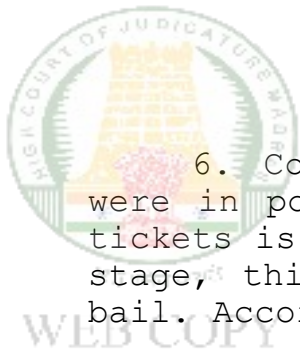
The petitioners/Accused Nos.1 and 3, who were arrested and remanded to judicial custody on 19.07.2016 for the alleged offence punishable under Sections 294(b), 307, 506(ii) of I.P.C., and Sections 3 and 5 of Lottery Regulation Act in Crime No.274 of 2016, on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners along with the other accused abused the de-facto complainant with filthy language and attacked him with knife. On complaint, case was registered against the petitioners for the offences under Sections 294(b), 307 and 506 (ii) of I.P.C. Subsequently, 30 lottery tickets (which were banned in Tamil Nadu) and Rs.66,000/- were recovered from them. Thereafter, Section has been altered into Sections 294(b), 307, 506(ii) of I.P.C. and Sections 3 and 5 of Lottery Regulation Act.

3. The case of the petitioners is that they were arrested on 19.07.2016 and they are innocents and they have not committed any offence as alleged by the prosecution.

4. The learned counsel for the petitioners submitted that after registering the F.I.R., Section was altered and there is no recovery of lottery tickets.

5. The learned Government Advocate (Crl.side) submitted that the petitioners were in possession of 30 lottery tickets (which are banned in Tamil Nadu) and a sum of Rs.66,000/-. The accused persons committed serious offence and the investigation is pending.



6. Considering the serious allegations that the petitioners were in possession of 30 lottery tickets and the sale of lottery tickets is banned in Tamil Nadu and investigation is in preliminary stage, this Court is not inclined to enlarge the petitioners on bail. Accordingly, this Criminal Original Petition is dismissed.

sd/-

28/07/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE OFFICER INCHARGE,
SUB JAIL, THOOTHUKUDI.
- 2 THE INSPECTOR OF POLICE
TIRUCHENDUR POLICE STATION,
THOOTHUKUDI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP (MD) No.13083 of 2016

Date : 28/07/2016

PA/GSV-PM/SAR I/05.08.2016/2P/4C