



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

Thursday, the Sixteenth day of June Two Thousand Sixteen

PRESENT

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

CRL OP (MD) No.8862 of 2016

SVR MANOHARAN

... PETITIONER/ACCUSED No.3

Vs

THE STATE THROUGH
THE INSPECTOR OF POLICE,
GH POLICE STATION, TRICHY
(CR.No.130 of 2016)

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S P.GANAPATHI SUBRAMANIAN, ADVOCATE

FOR RESPONDENT : MR.P.KANNITHEVAN, GOVERNMENT ADVOCATE (CRL. SIDE)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

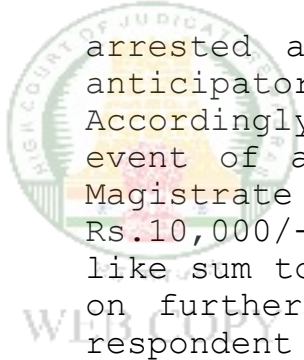
The petitioner, who is arrayed as accused No.3, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 5 r/w Section 7(3) of Lottery Regulation Act, 1998, in Crime No.130 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and other accused persons were selling banned lottery tickets. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. The petitioner has been implicated only based on the confession of A1 Mariappan and A2 Baskaran. A1 & A2 were arrested and enlarged on bail.

4.The learned Government Advocate(Crl.side) submitted that this petitioner and other accused persons are regularly selling banned lottery tickets. A1 Mariappan already convicted and sentenced to pay a fine of Rs.1,000/- by the learned Judicial Magistrate NO.III, Tiruchirappalli in S.T.C.No.187 of 2014 for the very same offence. If the petitioner is granted anticipatory bail, he will tamper the witnesses and hamper the investigation.

5.Considering the facts and circumstances of the case and also considering the fact that the co-accused Nos.1 & 2 were already



arrested and enlarged on bail, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.3, Trichy and 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 Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m., until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

6. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
16/06/2016

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.III, TRICHY.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.
3. THE INSPECTOR OF POLICE,
GH POLICE STATION, TRICHY
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S P.GANAPATHI SUBRAMANIAN Advocate SR.No. 30957

ORDER
IN
CRL OP(MD) No.8862 of 2016
Date :16/06/2016

AM
TE/NGM-MP/SAR-III : 21/06/2016 : 2P/6C