



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

Friday, the Fourth day of August Two Thousand Seventeen

PRESENT

**The Hon`ble Mr.Justice A.M.BASHEER AHAMED**

CRL OP(MD) No.10227 of 2017

SELVAM @ PATTAI SELVAM

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP.BY,  
THE INSPECTOR OF POLICE  
GANDHI MARKET POLICE STATION,  
TIRUCHIRAPPALLI DISTRICT,  
CR NO. 896/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.K.M.KARUNAKARAN Advocate

For Respondent : MR.A.RAMAR Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner / sole accused, who was arrested on 23.07.2017 for the offences punishable under Section 5 r/w 7(3) of Lottery Regulation Act, in Crime No.896 of 2017 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner was selling lottery tickets by writing the number of lottery in a white paper and thereby violated the Lottery Regulation Act.

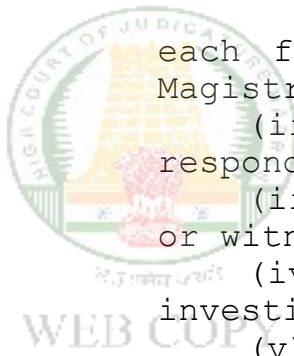
3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case.

4.The learned Additional Public Prosecutor submitted that the petitioner is the sole accused and a sum of Rs.110/- was recovered from him and investigation is pending. He further submitted that the petitioner is not having any similar type of previous case.

5.Considering the facts and circumstances of the case and considering the fact that no similar type of previous case is pending against the petitioner, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions:

<https://hcservices.ecourts.gov.in/hcservices/>

(1) the petitioner shall execute 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 Judicial Magistrate No.V, Tiruchirappalli;

(ii) the petitioner is directed to appear before the respondent police daily at 10.30 a.m. until further orders;

(iii) the petitioner shall not tamper with the evidence or witness either during investigation or trial;

(iv) the petitioner shall not abscond either during investigation or trial;

(v) on breach of any of the aforesaid conditions, the 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 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].

sd/-

04/08/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.V, TIRUCHIRAPPALLI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, TIRUCHIRAPPALLI DISTRICT.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, TIRUCHIRAPPALLI.
- 4 THE INSPECTOR OF POLICE,  
GANDHI MARKET POLICE STATION, TIRUCHIRAPPALLI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.K.M.KARUNAKARAN Advocate SR.No.28148

ORDER

IN

CRL OP(MD) No.10227 of 2017

Date :04/08/2017

MKV-CM-MSA-SAR 1/4.8.2017/2P-7C