



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

Monday, the Seventh day of August Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.10341 of 2017

1 REGUNATHAN

2 STEPHEN SAMUVEL RAJ

... PETITIONERS / ACCUSED NO 1 & 2

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
CANTONEMENT POLICE STATION, TRICHY,
CR NO. 1061/2017.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.B.JAMEEL ARASU Advocate

For Respondent : MR.A.RAMAR Additional Public Prosecutor

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

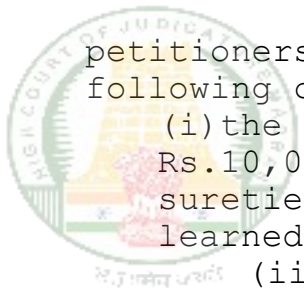
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1 and A2 in Crime No.1061 of 2017 on the file of the respondent police, were arrested and remanded to judicial custody on 21.07.2017 for the alleged offences punishable under Sections 109, 120(b) and 420 I.P.C and 5&7(3) of Lotteries Regulation Act, and hence, seek bail.

2.The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case.

3.The learned Additional Public Prosecutor on instructions would submit that there are totally two accused in this case, who are arrayed as A1 and A2 respectively. He further submitted that A2 is the owner of the shop in which A1 is selling 40 numbers of lottery tickets written in a white paper, which is banned by the State of Tamil Nadu and the white paper containing 40 numbers of lottery tickets ie., 20 Singam and 20 Quil, were seized by the respondent police. He further submitted that the petitioners are not having any previous case in a similar type of offences and the investigation is still pending.

4.Considering the above facts and circumstances of the case and also considering the fact that the petitioners are not having any previous case and they are in judicial custody from 21.07.2017, this Court is inclined to grant bail to the petitioners. Accordingly, the



petitioners are ordered to be released on bail subject to the following conditions:

(i) the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Trichy.

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

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

(iv) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-

07/08/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, TRICHY.
 - 2 THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.
 - 3 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
 - 4 THE INSPECTOR OF POLICE,
CANTONMENT POLICE STATION, TRICHY.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.B.JAMEEL ARASU Advocate SR.No.28201

ORDER
IN
CRL OP(MD) No.10341 of 2017
Date :07/08/2017

MKV-MSA-AAM-SAR 3/7.8.2017/2P-7C