



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

Thursday, the Twenty Fourth day of August Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.10963 of 2017

1 MEENAKSHI SUNDARAM
2 ANANDRAJ

... PETITIONERS / A1 AND A2

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
ARIYAMANGALAM POLICE STATION,
TIRUCHIRAPPALLI DISTRICT.
CRIME NO.523/2017

... RESPONDENT / COMPLAINANT

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

For Respondent : MR.A.RAMAR Additional Public Prosecutor

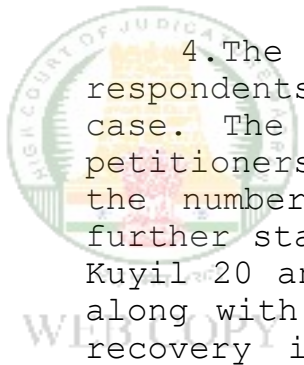
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners who were arrested and remanded to judicial custody on 25.07.2017, for the offences punishable under Sections 294 (b), 506 (I), 420 of IPC and 5 r/w 7 (3) of Lottery Regulations Act, in Crime No.523 of 2017, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the first petitioner has borrowed a sum of Rs.10,000/- from the de-facto complainant. On 25.07.2017, when the de-facto complainant went to the place of the petitioners for demanding the loan amount, the accused were selling lottery tickets by way of writing the lottery numbers in white paper and compelled the de-facto complainant to buy the lottery tickets and also abused in a filthy language and threatened him with dire consequences.

3.The learned counsel appearing for the petitioner states that selling of lottery tickets is totally banned under the provisions of the Lottery Regulations Act and in this case no lottery tickets were recovered from A1 and A2 and there is no offence as alleged by the prosecution.The learned counsel appearing for the petitioner requests this Court to grant bail in favour of the petitioner herein, by imposing stringent conditions.



4.The learned Additional Public Prosecutor appearing for the respondents would submit that there are totally 23 accused in this case. The petitioners are arrayed as A1 and A2 respectively.The petitioners were selling the lottery tickets by way of mentioning the numbers of the lottery tickets in the white papers. It is further stated that the numbers of lottery tickets namely Singam 18, Kuyil 20 and Thangam 10 totally 40 numbers written in a white paper along with the sale amount of Rs.320/- were seized from A1 and no recovery is made from A2. The petitioners are having each one previous case of similar type of offences. A1 is having a case in Cr.Nos. 170 of 2014 and A2 is having cases in Cr.Nos.546 of 2015, 18 and 184 of 2016. Earlier bail application moved by this petitioner was dismissed by this Court recently on 04.08.2017, in Crl.O.P(MD). No.10225 of 2017. The present bail application before this Court is on same sets of facts filed on 07.08.2017, there is no change of circumstances from the dismissal of the earlier bail application. The petitioners were arrested on 25.07.2017 and they are in judicial custody Investigation is still pending.

5.Considering the above facts and circumstances of the case and also considering the fact that the earlier bail application was dismissed by this Court recently on 04.08.2017 and there is no change of circumstances. Hence, this Court is not inclined to grant bail to the petitioner and accordingly the criminal Original Petition is dismissed

sd/-
24/08/2017

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
ARIYAMANGALAM POLICE STATION, TIRUCHIRAPPALLI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, TIRUCHIRAPPALLI.

+1. CC to M/S.K.M.KARUNAKARAN Advocate SR.No.29270

ORDER
IN
CRL OP(MD) No.10963 of 2017
Date :24/08/2017