



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

Tuesday, the Twelfth day of September Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.12018 of 2017

1 MEENAKSHISUNDARAM,
2 ANANDRAJ,

... PETITIONERS/ ACCUSED NO.1 & 2

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
ARIYAMANGALAM POLICE STATION,
TRICHY DISTRICT.
CR.NO.523 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.S.SELVAKUMAR 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 / A1 and A2, who were arrested on 25.07.2017 for the offences punishable under Sections 294(b), 506(i), 420 IPC r/w Section 5, 7(3) of Lotteries Regulation Act, 1998 in Crime No.523 of 2017 on the file of the respondent police, seek bail.

2.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that he seeks permission to withdraw this Criminal Original petition in respect of the 2nd petitioner. He has also made an endorsement to that effect.

3.The learned Additional Public Prosecutor submitted that totally there are 3 accused and the petitioners are arrayed as A1 and A2 in this case. He also submitted that A3 was granted bail by this Court and the earlier bail petitions moved by these petitioners in Cr1.O.P.(MD)No.10963 & 10225 of 2017 were dismissed by this Court on 24.08.2017 and 04.08.2017 respectively and the present petition is filed for the third time on the same set of facts. He further submitted that after dismissal of the earlier bail petitions there is no change in circumstances and investigation is still pending. He also submitted that the 1st petitioner is having one similar type of previous case and the 2nd petitioner is having 3 similar type of previous cases and in all the cases, the petitioners were convicted by the Trial Court.



4.Considering the facts and circumstances of the case and considering the nature of allegations levelled against the first petitioner and the period of incarceration of the first petitioner, this Court is inclined to grant bail to the first petitioner alone. Accordingly, **the first petitioner is ordered to be released on bail** subject to the following conditions:

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(i)the first petitioner 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 Judicial Magistrate No.VI, Tiruchirapalli;

(ii)the first petitioner is directed to stay at Madurai and report before the Judicial Magistrate No.I, Madurai daily at 10.30 a.m. until further orders;

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

(iv) the first 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 first petitioner in accordance with law as if the conditions have been imposed and the first 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]**.

(vi)This petition is dismissed as withdrawn in respect of the 2nd petitioner is concerned.

sd/-

12/09/2017

/ TRUE COPY /

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

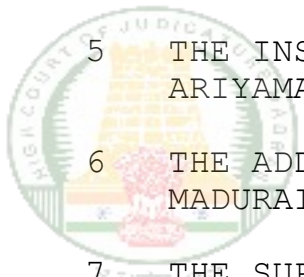
NBJ
TO

1 THE JUDICIAL MAGISTRATE NO.VI, TIRUCHIRAPALLI

2 THE CHIEF JUDICIAL MAGISTRATE
TRICHY DISTRICT

3 THE JUDICIAL MAGISTRATE NO.I, MADURAI

4 THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT



5 THE INSPECTOR OF POLICE,
ARIYAMANGALAM POLICE STATION, TRICHY DISTRICT.

6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

7 THE SUPERINTENDENT
CENTRAL PRISON, TIRUCHIRAPPALLI

+1. CC to M/S.S.SELVAKUMAR Advocate SR.No.30522

GJM/PM/PN/SAR-2-12.9.17-3P-9C

ORDER

IN

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Date :12/09/2017