



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

Thursday, the Fourth day of May Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice N.AUTHINATHAN

CRL OP (MD) No.5676 of 2017

THIRUMALAI KUMAR

... PETITIONER/ ACCUSED NO.2

Vs

STATE REP.BY

THE INSPECTOR OF POLICE

TALLAKULAM POLICE STATION,

MADURAI,

(CRIME NO. 681 OF 2017)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.N.RANJITH Advocate

For Respondent : M/S K.ANBARASAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner/Accused No.2, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 5 r/w 7 of Lottery Regulation Act, in Crime No.681 of 2017 on the file of the respondent police, seeks anticipatory bail.

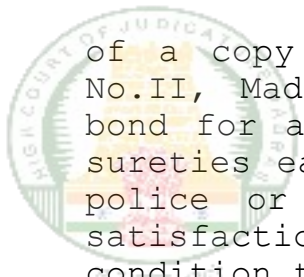
2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the State.

3.According to the prosecution, the petitioner sold the banned lotteries.

4.The learned counsel for the petitioner submitted that the petitioner has been falsely implicated in this case and that anticipatory bail may be granted to the petitioner.

5.The learned Government Advocate (Crl.Side) submits that the petitioner indulged in sale of lottery tickets issued by the Kerala Government and the same has also been recovered and co-accused has already been arrested and released on bail.

6.Having regard to the fact that the co-accused has already been arrested and released on bail, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt



of a copy of this order, before the learned Judicial Magistrate No.II, Madurai, on condition that 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

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[a] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned 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 learned 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/-

04/05/2017

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

TO

1. THE JUDICIAL MAGISTRATE NO.II, MADURAI.

2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

3. THE INSPECTOR OF POLICE
TALLAKULAM POLICE STATION,
MADURAI.

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

+1. CC to M/S.N.RANJITH Advocate SR.No.21880

ORDER

IN

CRL OP(MD) No.5676 of 2017

Date :04/05/2017

MS/PM.PN/SAR-4/05.05.2017/2P.6C