



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

Thursday, the Thirteenth day of July Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.8876 of 2017

MURUGESAN

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
MANNACHANALLUR POLICE STATION,
TRICHY DISTRICT.
CR.NO.269/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.T.LENIN KUMAR 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 :-

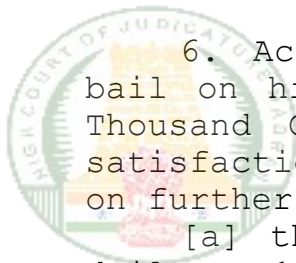
The petitioner, who was arrested and remanded to judicial custody on 29.06.2017, for the offence punishable under Sections 5 r/w 7(3) of Lotteries Regulation Act, 1998, in Crime No.269 of 2017, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner herein sold the lottery tickets in the printed form, which is banned by the Government of Tamil Nadu. Ten numbers of lottery tickets printed in white papers were recovered from the petitioner herein.

3. The learned counsel appearing for the petitioner states that the petitioner has not committed any offence, as alleged by the prosecution and for statistical purpose, the respondent Police has falsely implicated the petitioner herein and he is an innocent person.

4. The learned Additional Public Prosecutor appearing for the respondent, on instructions, would submit that the petitioner is the sole accused and he sold the lottery tickets in the printed form, which is banned by the Government of Tamil Nadu. Ten numbers of lottery tickets printed in white papers, were recovered from the petitioner herein.

5. Considering the above facts and circumstances of the case, this Court is inclined to grant bail to the petitioner subject to certain conditions.



6. Accordingly, the petitioner is ordered to be released on bail on his executing 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 learned Judicial Magistrate No.III, Trichy, and on further condition that:

[a] the petitioner shall report before the respondent Police, daily at 10.30 a.m., until further orders, 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/-

13/07/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.III, TRICHY.

2 THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

4 THE INSPECTOR OF POLICE,
MANNACHANALLUR POLICE STATION, TRICHY DISTRICT.

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

+1. CC to M/S.T.LENIN KUMAR Advocate SR.No.26454

ORDER

IN

CRL OP(MD) No.8876 of 2017

Date :13/07/2017

MKV-PM-PN-SAR 2/13.7.2017/2P-7C