



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.8879 of 2017

1 GANESAN
2 SUBRAMANIAN

... PETITIONERS / ACCUSED NO.4 and 5

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
PETTAVAITHALAI POLICE STATION,
TRICHY DISTRICT.
CR.NO.147/2017

... RESPONDENT / COMPLAINANT

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

For Respondent : MR.A.RAMAR Additional Public Prosecutor

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

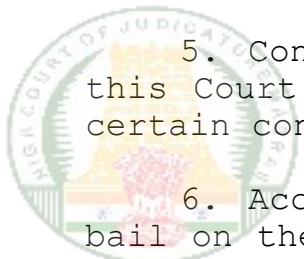
ORDER : The Court Made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 27.06.2017, for the offences punishable under Sections 353 and 506(ii) of IPC., and Section 12 of Tamil Nadu Gaming Act, 1930, in Crime No.147 of 2017, seeks bail.

2. The case of the prosecution is that the accused herein conducted cock fighting, as gambling, which is banned by the Government of Tamil Nadu.

3. The learned counsel appearing for the petitioners states that the petitioners were watching the cock fight, as a spectators and the petitioners have not committed any offence, as alleged by the respondent Police.

4. The learned Additional Public Prosecutor appearing for the respondent, on instructions, would submit that there are totally 8 named accused and 16 unnamed accused. The petitioners herein are arrayed as A5 and A6. All the accused were arrested in the occurrence place. He also submitted that 9 cocks, 18 vehicles and a sum of Rs.900/- were seized in the place of occurrence. The petitioner was arrested on 27.06.2017 and he is in custody and the investigation is still pending.



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

6. Accordingly, the petitioners are ordered to be released on bail on their each 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, Trichy District and on further condition that:

[a] the petitioners shall report before the respondent Police daily at 10.30 a.m., until further orders, for interrogation.

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

[c] the petitioners 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 petitioners in accordance with law, as if the conditions have been imposed and the petitioners 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, TRICHY DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

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

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

+1. CC to M/S.B.JAMEEL ARASU Advocate SR.No.26482

ORDER

IN

CRL OP(MD) No.8879 of 2017

Date :13/07/2017