

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Sixteenth day of July Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA

CRIMINAL ORIGINAL PETITION No.17958 of 2018

M.DEEN,

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE
T-15, SRMC POLICE STATION,
CHENNAI.
CR.NO.361 OF 2018.

[RESPONDENT]

For Petitioner : M/S.B.MOHANRAJ Advocate

For Respondent : MR. C.IYYAPPARAJ, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner seeks anticipatory bail in Crime No.361 of 2018 registered by the respondent police for the alleged offences under Section 7(3) of Lottery Regulation Act, 1998.

2. Heard both sides.

3. The case of the prosecution as per the defacto complainant is that the petitioner was involved in selling banned lottery tickets.

4. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case.

5. The learned Additional Public Prosecutor would submit that the petitioner was involved in selling banned lotteries. He would further submit that there is no previous case pending against the petitioner.

6. Taking into consideration of the fact that there is no previous case against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of 15 days from the date of receipt of a copy of this order, before the learned Judicial Magistrate-I, Poonamallee, 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:

[a] if the petitioner fail to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

[b] The petitioner shall report before the respondent police daily at 10.30 a.m until further orders.

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

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

[e] 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]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-
16/07/2018

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.I, POONAMALLEE

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
T-15, SRMC POLICE STATION,
CHENNAI.

+1 CC to M/S.B.MOHANRAJ Advocate on payment of necessary
charges SR.NO. 13124

CRL OP.17958/2018

Date :16/07/2018

TA-20/07/2018