



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

Thursday, the Twenty Eighth day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.3137 of 2019

1 THAMIM
2 PARAGATH ALI
3 GURUSAMY

... PETITIONERS / ACCUSED
No.1 to 3

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
ARIYAMANGALAM POLICE STATION,
TRICHY DISTRICT.
Crime No.95/2019

... RESPONDENT / COMPLAINANT

For Petitioners: Mr.A.VADIVEL Advocate

For Respondent : Mr.S.CHANDRASEKAR, 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 since 13.02.2019 for the offence punishable under Sections 420, 506(i) of IPC and 5,7 (3) of Tamilnadu Lotteries Regulation Act, 1998, in Cr.No.95 of 2019, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner is selling lottery tickets against the law. Hence, the case has been registered.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. However, on instructions, he submits that the petitioner is ready to deposit any amount to facilitate any one of Government welfare scheme.

<https://hcservices.ecourts.gov.in/hcservices>
4.The learned Additional Public Prosecutor would submit that since the petitioners are ready to deposit any amount, this court may pass appropriate orders.



5. Considering the facts and circumstances of the case and considering the period of incarceration, this Court is inclined to grant bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate No.VI, Trichy and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the concerned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of the "District Siddha Medical Officer, CCRI, Periyakulam" (payable in Account No.10767823177, SBI, Periyakulam) and produce the proof before the concerned Judicial Magistrate before execution of sureties.

(c) the petitioners shall report before the respondent police daily daily at 10.30 a.m. until further orders;

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) 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]; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

sd/-
28/02/2019

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE NO VI,
TRICHY.

2. THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

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

4. THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

5. DISTRICT SIDDHA MEDICAL OFFICER,
CCRI, PERIYAKULAM.

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

+1. CC to Mr.A.VADIVEL Advocate SR.No.4023

ORDER

IN

CRL OP (MD) No.3137 of 2019

Date :28/02/2019

TK/PN/SAR-3/28.02.2019/3P/8C