



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

Friday, the Twenty Ninth day of March Two Thousand Nineteen

PRESENT

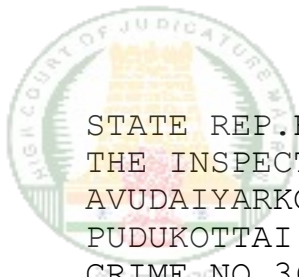
The Hon`ble Mr.Justice M.DHANDAPANI

Crl.O.P. (MD) No.4640,4641,4690,4694 and 4775 of 2019

SARAVANAN	... PETITIONER / 2 nd ACCUSED IN CRL OP (MD) NO.4640/2019
THIRUMURUGAN	... PETITIONER/ 2 nd ACCUSED IN CRL OP (MD) NO.4641/2019
RAJA @ PUVANESHWARAN	... PETITIONER/ 2 nd ACCUSED IN CRL OP (MD) NO.4690/2019
AATHI (KUMAR) @ ATHITHYAN	... PETITIONER/ 1 st ACCUSED IN CRL OP (MD) NO.4694/2019
V.P.SINGH @ VENGADAPATHY SINGH	... PETITIONER/ 2 nd ACCUSED IN CRL OP (MD) NO.4775/2019

Vs

STATE REP.BY THE INSPECTOR OF POLICE ARANTHANGI POLICE STATION, PUDUKKOTTAI DISTRICT. (CRIME NO.130/2019)	... RESPONDENT / COMPLAINANT IN CRL OP (MD) NO.4640/2019
STATE REP.BY THE INSPECTOR OF POLICE ARANTHANGI POLICE STATION, PUDUKKOTTAI DISTRICT. (CRIME NO.134/2019)	... RESPONDENT / COMPLAINANT IN CRL OP (MD) NO.4641/2019
STATE REP.BY THE INSPECTOR OF POLICE ARANTHANGI POLICE STATION, PUDUKKOTTAI DISTRICT. (CRIME NO.131/2019)	... RESPONDENT / COMPLAINANT IN CRL OP (MD) NO.4690/2019



STATE REP.BY
THE INSPECTOR OF POLICE
AVUDAIYARKOVIL POLICE STATION,
PUDUKOTTAI DISTRICT,
CRIME NO.36/2019

... RESPONDENT / COMPLAINANT
IN CRL OP (MD) NO.4694/2019

WEB COPY

STATE REP.BY
THE INSPECTOR OF POLICE
ARANTHANGI POLICE STATION,
PUDUKKOTTAI DISTRICT.
(CRIME NO.129/2019)

... RESPONDENT / COMPLAINANT
IN CRL OP (MD) NO.4775/2019

For Petitioner : Mr.T.LENIN KUMAR, Advocate
IN CRL OP (MD) Nos.4640, 4694 & 4775 of 2019

: Mr.A.MOHAMED HANEEF, Advocate
IN CRL OP (MD) No.4690 of 2019

: Mr.D.VENKATESH, Advocate
IN CRL OP (MD) No.4641 of 2019

For Respondent : Mr.K.SUYAMBULINGA BHARATHI,
Government Advocate (Crl.Side)
in all the petitions

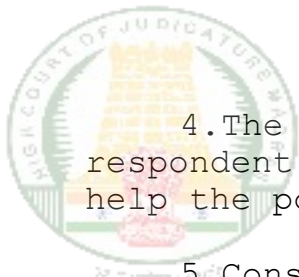
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 5 and 7(3) of the Lotteries Regulation Act, 1998 in Cr.Nos.130 of 2019, 134 of 2019, 131 of 2019, 36 of 2019 and 129 of 2019 on the file of the respondent police, seek anticipatory bail.

2.It is the case of the prosecution that the petitioners were found in possession of banned lottery tickets. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners have been falsely implicated in this case and they have nothing to do with the alleged offence. However, on instructions, the learned counsel for the petitioners would submit that, without prejudice to their defence before the Trial Court, the petitioners are ready and willing to pay Rs.5,000/- each to the Inspector of Police, Vilakkuthoon Police Station, Madurai, who after receipt of the said amount, shall purchase the food items for the said amount as per the wish of Gandhimathi, W/o.Arumugam, residing at 8/11, Moongil Kadai Veethi, Simmakal, Madurai, and helping the poor people in the District, who are unable to move themselves, by providing them food and hand over it to her.



4.The learned Government Advocate(Crl.side) appearing for the respondent police would submit that if the petitioners are ready to help the poor people, this Court may pass appropriate orders.

5.Considering the facts and circumstances and considering the fact that the petitioners have come forward to help the poor people, this Court is inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Aranthangi on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only)each 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) The petitioners are directed to pay a sum of Rs.5,000/- each to the Inspector of Police, Vilakkuthoon Police Station, Madurai, who after receipt of the said amount, shall purchase the food items for the said amount as per the wish of Gandhimathi, W/o.Arumugam, residing at 8/11, Moongil Kadai Veethi, Simmakal, Madurai, and hand over it to her. Thereafter, the sureties shall be accepted.

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

(c)the petitioners shall report before the respondent police 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/-

29/03/2019

/ TRUE COPY /



TO

1. THE JUDICIAL MAGISTRATE, ARANTHANGI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.
3. THE INSPECTOR OF POLICE
ARANTHANGI POLICE STATION,
PUDUKKOTTAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO:

THE INSPECTOR OF POLICE,
VILAKKUTHOON POLICE STATION,
MADURAI.

+3. CC to MR.T.LENIN KUMAR, Advocate SR.Nos.5824,5825 & 2826
+1CC TO Mr.A.MOHAMED HANEEF, Advocate, SR NO.5828
+1CC TO Mr.D.VENKATESH, Advocate, Sr NO.5827

ORDER IN

Cr1.O.P. (MD) No.4640,4641,4690,4694
and 4775 of 2019

Date :29/03/2019

MS/PN/SAR-1/03.04.2019/4P.11C