



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

Friday, the Twelfth day of April Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.5530 of 2019

V.P.SINGH @ VENKATAPATHY SINGH ... PETITIONER /2nd ACCUSED

Vs

THE STATE REP.BY ITS
THE INSPECTOR OF POLICE,
MANAMELKUDI POLICE STATION,
PUDUKKOTTAI DISTRICT.
(CRIME NO.35/2019)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.T.LENIN KUMAR Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends 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.No.35 of 2019 on the file of the respondent police, seeks anticipatory bail.

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

3.The learned counsel appearing for the petitioner would submit that the petitioner has been falsely implicated in this case and he has nothing to do with the alleged offence. However, on instructions, the learned counsel for the petitioner would submit that the petitioner without prejudice to his defence is ready and willing to pay Rs.5,000/- to the Inspector of Police, Manamelkudi Police Station, Pudukottai District who in turn to purchase rice, Dhal, oil, masala powder and vegetables for the said value and hand over it to one Gandhimathi, W/o. Arumugam who is residing at 8/11, Mongil Kadai Veethi, Simmakal, Madurai, and helping the poor people in the District who are unable to move by providing them food.

<https://hcservices.ecourts.gov.in/hcservices/>

4.The learned Government Advocate(Crl.side) appearing for the



respondent police would submit that if the petitioner is ready to help the poor people, this Court may pass appropriate orders.

5. Considering the facts and circumstances and considering the fact that the petitioner has come forward to help the poor people without food, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his 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 petitioner 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 petitioner is directed to pay a sum of Rs.5,000/- to the Inspector of Police, Manamelkudi Police Station, Pudukottai District who in turn to purchase rice, Dhal, oil, masala powder and vegetables for the said value and hand over it to one Gandhimathi, W/o. Arumugam who is residing at 8/11, Mongil Kadai Veethi, Simmakal, Madurai, and helping the poor people in the District who are unable to move by providing them food and thereafter sureties shall be accepted.

(b) the petitioner 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 petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

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

(e) the petitioner 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 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]**; and;

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

sd/-
12/04/2019

/ TRUE COPY /



TO

1. THE JUDICIAL MAGISTRATE,
ARANTHANGI.

2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.

3. THE INSPECTOR OF POLICE,
MANAMELKUDI POLICE STATION,
PUDUKKOTTAI DISTRICT.

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

+1. CC to MR.T.LENIN KUMAR Advocate SR.No.6708

ORDER

IN

CRL OP (MD) No.5530 of 2019

Date :12/04/2019

AE/MMS/SAR-III/16.04.2019/3P/6C