



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

Date : 28/08/2019

PRESENT

WEB COPY

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.11987 of 2019

Reegan @ Anbalagan,

... Petitioner/Accused No.10

Vs

State through
The Inspector of Police,
Kallaperambur Police Station,
Thanajavur District.
Crime No. 73 of 2019.

... Respondent/Complainant

For Petitioner : M/s. R. Maheswaran,
Advocate.

For Respondent : Mrs.M.Anantha Devi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 73 of 2019 on the file of
the Respondent Police.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the
respondent police for the offences punishable under Section 8 and 9
of Tamil Nadu Gambling Act and Sections 353 and 506(i) of IPC in
Crime No.73 of 2019, seeks anticipatory bail.

2.The learned counsel appearing for the petitioner has
submitted that the petitioner is an innocent person and he has not
committed any offence. He further submitted that he has been
falsely implicated in this case, based on the confession given by
the co-accused. He further submitted that except the petitioner,
all other accused were arrested and subsequently, released on bail
and hence, he prayed for grant of anticipatory bail to the
petitioner.

3.Per contra, the learned Government Advocate (Crl.Side)
appearing for the respondent has submitted that there are totally 10

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



accused. Out of them, except the petitioner, all other accused were arrested and subsequently, released on bail. She opposed this petition, as investigation is pending. However, she fairly conceded that the petitioner has no previous case.

4. Taking into consideration of the fact that except the petitioner, all other accused were arrested and subsequently, released on bail and also considering the fact that the petitioner has no previous case, this Court is inclined to grant anticipatory bail to the petitioner by imposing certain conditions.

5. 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, No.2, Thanjavur 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 to 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 fails 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 for a period of three weeks and thereafter, as and when required for the interrogation.

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

[d] the petitioner shall not abscond 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/-
28/08/2019

/ TRUE COPY /

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



TO

1 THE JUDICIAL MAGISTRATE NO.2,
THANJAVUR.

2 DO THRO' THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR DISTRICT AT KUMBAKONAM

3 THE INSPECTOR OF POLICE,
KALLAPERAMBUR POLICE STATION,
THANAJAVUR DISTRICT.

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

+1 CC to M/s.R.MAHESWARAN, Advocate (SR-14258[I] dated 28/08/2019)

ORDER

IN

CRL OP(MD) No.11987 of 2019

Date :28/08/2019

VS

AE/JC/SAR-II (05.09.2019) 3P 6C