



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

Date : 24/11/2020

PRESENT

**The Hon'ble Mr.Justice G.K.ILANTHIRAIYAN**

**CRL OP(MD).No.13348 of 2020**

1.R.Veeramani  
2.S.Sreeram

... Petitioners/Accused 1 & 2

Vs

The Inspector of Police,  
Natham Police Station,  
Dindigul District.  
Crime No.886 of 2020.

... Respondent/Complainant

For Petitioner : M/s.R.Alagia Nambi,  
Advocate.

For Respondent : Mr.KR.Bharathi Kannan,  
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.886 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who are arrayed as A1 & A2, apprehending arrest at the hands of the respondent police for the offences punishable under section 7(3) of Lotteries Regulation Act 1998, in Crime No.886 of 2020 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on getting secret information on 09.11.2020 at 02.30 p.m. the defacto complainant along with one police constable Ramachandran went to Serveedu pirivu, east side of Kallalagar Mahal near tamarind farm two unknown persons standing there with two two-wheelers. On seeing the police persons they ran off leaving the vehicles bearing Registration Nos.TN-07-S-4651 and TN-55-BE-9295 leaving lottery tickets and cash of Rs.600. After they enquired about the unknown persons and they have implicated as an accused.



3. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl.Side) appearing for the respondent.

4. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case.

5. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that there is no previous case pending as against the petitioners.

6. Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners shall deposit a sum of Rs.10,000/- (Rupees Ten thousand only) as costs jointly to the Hon'ble Chief Justice relief fund and on such deposit the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of two weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Natham, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) each with two sureties, out of which one shall be a blood related surety, 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) 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;

(b) the petitioners shall report before the respondent police daily at 10.00 a.m for a period of two weeks and thereafter as and when required for interrogation;

(c) 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/petitioners thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-  
24/11/2020

WEB COPY

/ TRUE COPY /

/ /2020

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

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

COPY TO : THE SECTION OFFICER, ACCOUNTS SECTION,  
(CHIEF JUSTICE RELIEF FUND)  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.ALAGIA NAMBI Advocate SR.No.7648

ORDER  
IN  
CRL OP(MD) No.13348 of 2020  
Date :24/11/2020

VSD  
PK/AKM/SAR-III/30.11.2020 : 3P/7C