

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Saturday, the Seventeenth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.6857 of 2020

1 RAMESH PURUSOTHAMA RAO [PETITIONERS / ACCUSED]
2 R.ISAAC SATHYA POORNA RAO,

Vs

1 THE INSPECTOR OF POLICE [RESPONDENT/COMPLAINANT]
G-1, VEPERY POLICE STATION,
VEPERY, CHENNAI.
CR.NO.21/2018.

2 MR.FARZEEN KHAN [RESPONDENT/DEFACTO COMPLAINANT]

For Petitioner : M/S.R.THAMARAI SELVAN Advocate

For Respondent : MR.S.KARTHIKEYAN, ADDITIONAL PUBLIC PROSECUTOR

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 offences punishable under Sections 06, 420 and 506(i) of IPC in Cr.No.21 of 2018 on the file of the respondent police, seek anticipatory bail.

2. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the Respondent Police.

3. It is brought to the notice of this Court that on 11.10.2018, this Court granted anticipatory bail in CrI.O.P.No.1408 of 2018 to the petitioners on condition that the petitioners shall jointly pay Rs.36 lakhs to the defacto complainant by way of demand draft in favour of the defacto complainant for a period of eight weeks from the date of receipt of a copy of this order. As against the said order, the petitioners filed a petition to modify the conditions imposed in CrI.O.P.No.1408 of 2018 and this Court, on 18.12.2018, granted further period of four weeks to comply the conditions imposed on them. Subsequently, another petition CrI.M.P.No.3680 of 2019 was filed to modify the condition and on 12.03.2019, this Court modified the order that the petitioners shall

deposit a sum of Rs.36 lakhs (in Fixed Deposit Scheme) to the credit of Cr.No.21 of 2018 before the Court below within a period of eight weeks. Suppressing all the facts and on failure to comply the conditions imposed in Crl.O.P.No.1408 of 2018, the petitioners herein filed a fresh anticipatory bail petition Crl.O.P.No.6857 of 2020 for the very same crime cumber.

4. In view of the above facts and circumstances of the case, this Court is of the considered opinion that this Criminal Original Petition is dismissed with costs. Accordingly, the petitioners herein are directed to deposit a sum of Rs.10,000/- to the Tamil Nadu Legal Service Authority, High Court Buildings, Chennai.

The case of the prosecution is that the petitioner along with the other accused is said to have sold lottery tickets illegally without valid permission. Hence, the present complaint has been lodged before the Law Enforcing Agency.

3.The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and that he had not committed any offence as alleged by the prosecution. He further submitted that based on the confession statement of the co-accused, the petitioner has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor submits that the petitioner along with the other accused is said to have sold lottery tickets in violating the provisions of the Lotteries Regulation Act. Therefore, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration the gravity of the offence committed by the petitioner and that investigation of the case is still underway, this Court is of the opinion that it would not be justifiable to grant anticipatory bail to the petitioners at this point of time.

6.Accordingly, this Criminal Original Petition is dismissed.

-sd/-

17/04/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE METROPOLITAN MAGISTRATE
NO.II, EGMORE, CHEENNAI

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

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI (FOR INFORMATION)

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
G-1, VEPERY POLICE STATION,
VEPERY, CHENNAI.

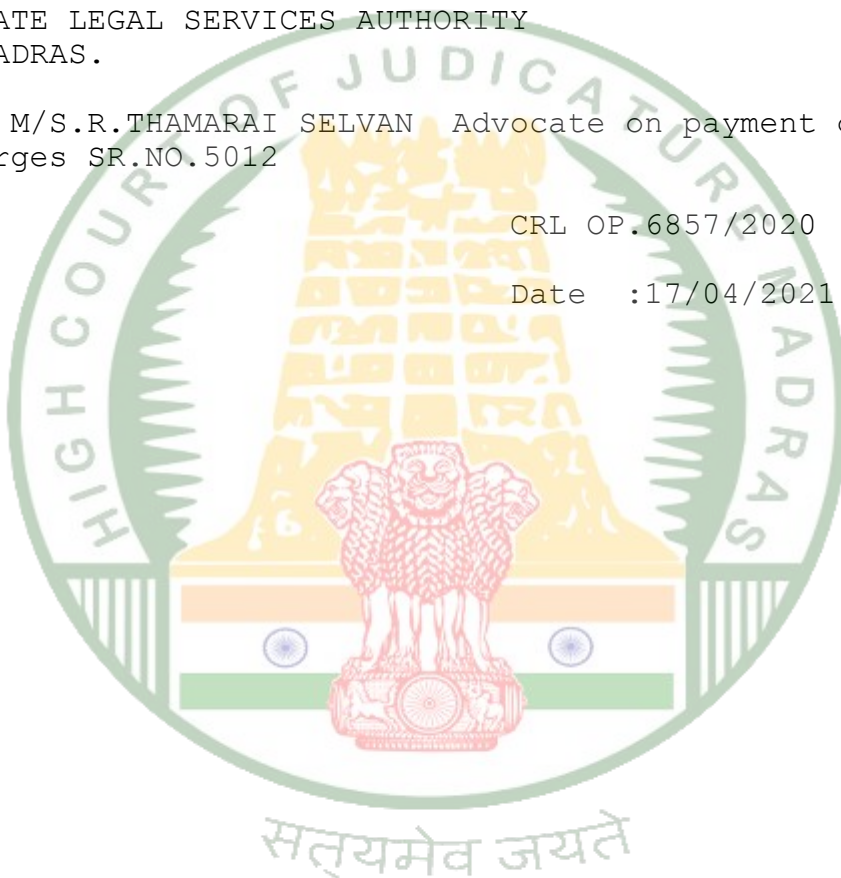
5 THE SECRETARY,
TAMIL NADU STATE LEGAL SERVICES AUTHORITY
HIGH COURT, MADRAS.

+2 CC to M/S.R.THAMARAI SELVAN Advocate on payment of
necessary charges SR.NO.5012

CRL OP.6857/2020

Date :17/04/2021

TA-05/05/2021



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