



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twelfth day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice SATHI KUMAR SUKUMARA KURUP

CRIMINAL ORIGINAL PETITION No.19427 of 2021

SETTU

[PETITIONER / ACCUSED]

Vs

STATE REP.BY

[RESPONDENT]

THE SUB INSPECTOR OF POLICE,
VELLORE SOUTH L AND O, POLICE STATION,
VELLORE DISTRICT.
CR NO.325/2021.

For Petitioner : M/S.M.R.THANGAVEL Advocate

For Respondent : MR.A.GOKULAKRISHNAN, ADDITIONAL PUBLIC PROSECUTOR

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 offences punishable under Sections 4(3) of Tamil Nadu Gaming Act and Section 420 IPC, in Crime No.325 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused persons have conducted the betting game and thereby cheated the General Public. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that A-1 had been arrested and granted bail. He further submitted that the petitioner along with A-1 cheated the general public in the guise of gaming. He also submitted that there are two previous cases pending against the petitioner. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.



5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate-1, Vellore, within a period of fifteen days from the date on which the order copy is made ready, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Judicial Magistrate-1, vellore, may obtain a copy of their Aadhar card or Voter Identity card or Driving License or PAN card or Bank Pass Book with photo affixed and attested by the Bank Manager to ensure their identity;

(b) the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

(c) the petitioner shall not influence, threaten or coerce the 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]**; and;

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

-sd/-

12/10/2021

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.



1 THE JUDICIAL MAGISTRATE,
NO.I, VELLORE.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUB INSPECTOR OF POLICE,
VELLORE SOUTH L AND O, POLICE STATION,
VELLORE DISTRICT.

CC to M/S.M.R.THANGAVEL Advocate on payment of necessary
charges

CRL OP.19427/2021

Date :12/10/2021

TA-18/10/2021