



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.12.2021

CORAM

THE HON'BLE MR. JUSTICE B.PUGALENDHI

CrI.O.P.No.25959 of 2021

Ramesh

... Petitioner

Vs.

The State rep. by
The Inspector of Police,
Villupuram Taluk Police Station,
Villurpuram.
Cr.No.1381 of 2021

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C.,
praying to enlarge the petitioner on bail in the event of the
petitioner arrest pending investigation in Crime No.1381 of 2021 on
the file of the respondent police.

For Petitioner : Mr.M.Karthik

For Respondent : Mr.A.GokulaKrishnan

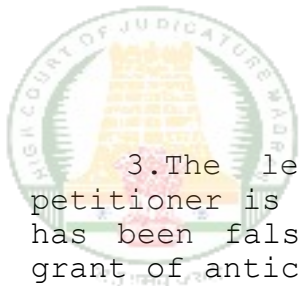
Additional Public Prosecutor
[CRL.O.P.No.25959/2021]

MR.S.Santhosh,
Govt. Advocate (CrI. Side)
[CRL.M.P.NO.1459/2022]

ORDER

The petitioner who apprehends arrest at the hands of the
respondent police for the alleged offences under **(*)Section 294(b), 353,**
506(2), 307 of IPC and 3 of TNPPDL Act r/w 7(3) of TNLR, in Crime No.1381 of
2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with
other accused involved in selling the lottery ticket illegally. Hence
the complaint.



3.The learned counsel for the petitioner submits that the petitioner is only an employee of the main accused A1 in this case. He has been falsely implicated in this case. Accordingly, prays for grant of anticipatory bail.

4.The learned Additional Public Prosecutor would submit that there are totally 20 accused in this case. A1 in this case has involved in the illegal sale of lottery tickets and the petitioner is working under him. When the respondent police attempted to conduct search, the petitioner along with other accused chased the police officer and did not allow them to perform their official duty. He would further submit that A1 in this case has been detained under Act 14, 1982.

5. Considering the fact that the petitioner is A5 herein and he is working under A1 who is the main accused in this case and that the main accused / A1 has been detained under Act 14, 1982 and no injury has been caused to anyone, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

6. Accordingly, the Criminal Original Petition is allowed. 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.I, Villupuram, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a]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 Aadhaar card or bank pass book to ensure their identity.

[b]the petitioner shall report before respondent police daily at 10.30 a.m. until further orders.

[c]the petitioner shall not tamper with the 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 is 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 229-A IPC.

WEB COPY

-sd/-
29/12/2021

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.

(*)AMENDED AS PER ORDER OF THE COURT DATED 11/02/2022 MADE IN CRL.MP.No.1459 OF 2022 IN CRL.O.P.NO.25959 OF 2021 BY The Hon`ble Mr Justice R. PONGIAPPAN

TO

1 THE JUDICIAL MAGISTRATE,
NO.I, VILLUPURAM.

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM [FOR INFORMATION],

3 THE INSPECTOR OF POLICE, VILLUPURAM TALUK
POLICE STATION, VILLUPURAM,

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.25959/2021

Date :29/12/2021

JPA 30/12/2021

JPA 18/02/2022