



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

Date : 07/12/2021

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.19211 of 2021

Senthilkumar

... Petitioner/Accused No.4

Vs

The State rep.by
The Inspector of Police,
Bazaar Police Station,
Ramanathapuram District.
Cr.No.481 of 2021).

... Respondent/Complainant

For Petitioner : M/s.VEERAKUMAR.T,
Advocate.

For Respondent : Mr.RMS.SETHURAMAN,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :- For Bail in Crime No. 481 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

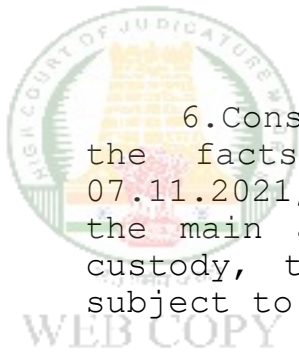
The petitioner/Accused, who was arrested and remanded to judicial custody on 07.11.2021 for the offence punishable under Sections 5 and 7(3) of Lotteries Regulation Act, 1998, in Crime No.481 of 2021, on the file respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused were said to be in possession of prohibited lottery tickets. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner is having previous cases for similar offence. He would further submit that the property has been recovered.

5.It is evident from the records that this Court has dismissed the petition in Crl.OP(MD)No.18315 of 2021, dated 23.11.2021.



6.Considering the facts and circumstances of the case and also the facts that the petitioner is in judicial custody from 07.11.2021, that the property has already been recovered and that the main accused A1 to A3 were already secured and in judicial custody, this Court is inclined to grant bail to the petitioner subject to the following conditions:

7.Accordingly, the petitioner is ordered to be released on bail on his executing 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 Judicial Magistrate No.I, Ramanathapuram District.

i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

ii)the petitioner shall report before the respondent police daily at 10.30 a.m until further orders.

iii)the petitioner shall not tamper with evidence or witness.

iv)the petitioner shall not abscond during trial.

v)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].

vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

07/12/2021

/ TRUE COPY /

/ /2021

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 NO.I
RAMANATHAPURAM, RAMANATHAPURAM DISTRICT

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.



3 THE SUPERINTENDENT,
CENTRAL PRISON
MADURAI.

4 THE INSPECTOR OF POLICE
BAZAAR POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

+1. CC to M/S.VEERAKUMAR.T Advocate SR.No.8932

ORDER

IN

CRL OP(MD) No.19211 of 2021

Date :07/12/2021

SA/VR/SAR.2/07.12.2021/3P/7C