



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Fifth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G. CHANDRASEKHARAN

CRIMINAL ORIGINAL PETITION No.10630 of 2022

SARAVANAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
B-1, TOWN POLICE STATION,
DHARMAPURI DISTRICT.
CR.NO.85 OF 2022.

For Petitioner : M/S. M.JAYACHANDRAN Advocate

For Respondent : MR.N.S.SUGANTHAN, Govt. Advocate (CrI. Side)

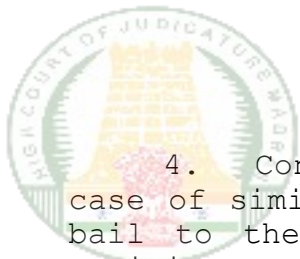
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under **Section 7 (3) of Lotteries Regulation Act,1998, in Crime No.85 of 2022**, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 28.01.2022, when the respondent police have conducted a regular raid, found that A1 and A2 were selling 20 lottery tickets, which was banned by the Tamilnadu Government. Based on the confession statements of A1 and A2, this petitioner was arrayed as A4.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he had not committed any such offences as alleged by the prosecution. He further submitted that he has been falsely implicated in this case and there is no previous case against him. Hence, he pleads for anticipatory bail.



4. Considering the fact that this petitioner has no previous case of similar nature, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of seven days from the date of receipt of a copy of this order, before the **Learned Judicial Magistrate No.I, Dharmapuri**, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) if the petitioner failed to surrender before the concerned Magistrate within a period of 7 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) **the petitioner shall report before the Investigating Officer daily at 10.30 a.m, until further orders;**

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner 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 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;



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

-sd/-

05/05/2022

WEB COPY

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 JUDICIAL MAGISTRATE,
NO.I, DHARMAPURI.

2 THE CHIEF JUDICIAL MAGISTRATE
DHARMAPURI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
B-1 TOWN POLICE STATION,
DHARMAPURI DISTRICT.

+1 CC to M/S. M.JAYACHANDRAN Advocate on payment of necessary charges SR.NO.6780

CRL OP.10630/2022

Date :05/05/2022

TA-11/05/2022