



IN THE HIGH COURT OF JUDICATURE AT MADRAS  
( Criminal Jurisdiction )

Wednesday, the Eighteenth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN  
CRIMINAL ORIGINAL PETITION No.11608 of 2022

PACKIRISAMY @ PARISU

[ PETITIONER / ACCUSED ]

Vs

INSPECTOR OF POLICE  
THE INSPECTOR OF POLICE,  
THIRUVARUR TOWN POLICE STATION,  
THIRUVARUR DISTRICT.  
CRIME NO.1210 OF 2021.

[ RESPONDENT ]

For Petitioner : M/S.SWAMISUBRAMANIAN Advocate

For Respondent : M/S. A.DAMODARAN, 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 Section 7(3) of Lotteries Regulation Act 1998 and Section 420 of IPC in Crime No.1210 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that, on 25.12.2021 based on the secret information about the online lottery selling through Whats App, the respondent police caught one Saravanan red handed with mobile phone used for online lottery business. Thereafter, based on the confession statement of the said Saravanan, the respondent police searched the other accused persons house and seized mobile phone and laptops and arrested them, which also includes the petitioner herein. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he is no way connected with the said alleged offence. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that the petitioner along with other accused persons have illegally sold the lottery ticket through online which are banned in Tamil Nadu. Hence, he opposed to grant 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 with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Thiruvarur, Thiruvarur District, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, one among the surety shall be a blood relative of the accused, 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 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 Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall appear 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 tamper with 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 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 abscond, a fresh FIR can be registered under Section 229A IPC.

-sd/-

18/05/2022

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,  
THIRUVARUR, THIRUVARUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE  
THIRUVARUR (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,  
THIRUVARUR TOWN POLICE STATION,  
THIRUVARUR DISTRICT.

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

CC to M/S. SWAMISUBRAMANIAN Advocate on payment of necessary  
charges Sr.7257

CRL OP.11608/2022

Date :18/05/2022

RVR 25/05/2022