



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Fourteenth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.13648 of 2022

1 VELU @ SHANMUGAVADIVEL
2 VEERAMANI

[PETITIONERS/ ACCUSED]

Vs

STATE REP BY ITS
THE INSPECTOR OF POLICE,
DEEVATTIPATTY POLICE STATION,
SALEM DISTRICT.
(CRIME NO.242/2022)

[RESPONDENT]

For Petitioner : M/S.C.DEEPAK KUMAR Advocate

For Respondent : MR.A.DAMODARAN, Additional Public Prosecutor

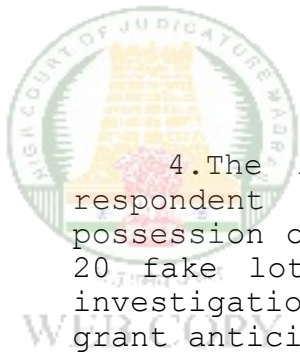
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 7(1) and 7(3) of Lotteries Regulation Act, 1998 and Section 420 of IPC, in Crime No.242 of 2022, on the file of the respondent police, seek anticipatory bail.

2. Totally there are three accused and the petitioners herein are A2 and A3. It is the case of the prosecution that the petitioners along with A1 have been found in possession of Government Prohibited Lottery Tickets for selling. 20 fake lottery tickets and a sum of Rs.600 were seized. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they are no way connected with the offence. He further submits that they were falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioners.



4.The learned Additional Public Prosecutor appearing for the respondent submitted that the petitioners have been found in possession of selling Government prohibited Lottery tickets, in that, 20 fake lottery tickets and a sum of Rs.600 were seized and the investigation is still pending. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5.Taking note of the facts and circumstances and also considering the fact, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate Court, Omalur, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, 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 petitioners 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 petitioners shall report before the respondent police daily at 10.30 a.m. for a period of four weeks and thereafter as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the s 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 229A IPC.

WEB COPY

-sd/-

14/06/2022

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.

TO

1 THE JUDICIAL MAGISTRATE,
OMALUR.

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM DISTRICT [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
DEEVATTIPATTY POLICE STATION,
SALEM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.C.DEEPAK KUMAR Advocate on payment of necessary charges SR.No.9211

CRL OP.13648/2022

Date :14/06/2022

CSK 20/06/2022