



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Fourth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.14635 of 2022

SUBBU @ K.SUBRAMANI

[PETITIONER / ACCUSED]

Vs

INSPECTOR OF POLICE
SHOOLAGIRI POLICE STATION,
KRISHNAGIRI DISTRICT.
CRIME NO.202 OF 2022.

[RESPONDENT]

For Petitioner : M/S.T.SHANMUGAM Advocate

For Respondent : M/S.A.DAMODARAN, Additional Public Prosecutor

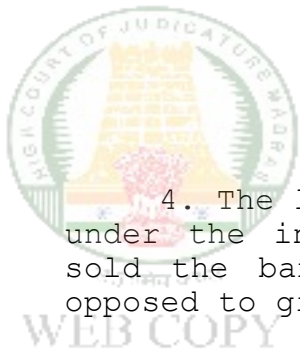
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 5 and 7 (3) of Lotteries Regulation Act, 1998 in Crime No.202 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that when the respondent police was on regular patrol duty found the A1 along with other accused persons with banned other state lottery tickets and they confessed that they sold only under the instructions of the petitioner. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Further, he submitted that the petitioner is nothing to do with the offence only based on the confession statement of the accused he was falsely implicated in this case. Hence, he prays for anticipatory bail.



4. The learned Additional Public Prosecutor would submit that the under the instruction of the petitioner other accused persons have sold the banned other state lottery tickets. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstance 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 Judicial Magistrate I, Hosur, on condition that the petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two blood 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, 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., and 5.30 p.m, until further orders.

[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.

WEB COPY

-sd/-

24/06/2022

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,
NO.I, HOSUR.

2 THE CHIEF JUDICIAL MAGISTRATE
KRISHNAGIRI. [FOR INFORMATION]

3 INSPECTOR OF POLICE
SHOOLAGIRI POLICE STATION,
KRISHNAGIRI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.T.SHANMUGAM Advocate on payment of necessary
charges SR.NO. 10051

CRL OP.14635/2022

Date :24/06/2022

RW-29/06/2022