



Crl.O.P.No.17805 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Section 420 IPC and Sections 5 and 7(3) of Lotteries Regulation Act, 1998, in Crime No.295 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that on 10.07.2022, the respondent police found that A2 and A3 in the above said case, were selling other State lottery tickets and assured that price will be given. They were caught by the respondent police and when enquired, the said lottery tickets were obtained from the petitioner. Hence the complaint.

3. The learned counsel for the petitioner submitted that the petitioner has been falsely implicate in this case and he is no way connected with the alleged offence committed by the other accused. Therefore, he prays to grant anticipatory bail to the petitioner.



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4. The learned Additional Public Prosecutor submitted that the petitioner helped other accused to sell other state lottery tickets and the petitioner has one previous case. Therefore, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above fact 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 his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Sathyamangalam, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



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[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 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 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 absconds, a fresh FIR can be registered under Section 229A IPC.

29.07.2022

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