



Crl.O.P.No.21782 of 2022

A.D.JAGADISH CHANDIRA, J.,

WEB COPY

The petitioner, who apprehends arrest for the alleged offences under Section 7(3) of Lotteries Regulation Act, 1998 in Crime No.689 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused was found to be in possession of banned lottery tickets worth Rs.5,000/- and from the arrested accused a cash of Rs.5,800/- and three cellphones were seized. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person, he has been falsely implicated in this case based on the confession recorded by the arrested accused.

4.The learned Government Advocate (crl. side) appearing for the respondent police submitted that the petitioner was found to be in possession of banned lottery tickets worth Rs.5,000/- and a cash of Rs.5,800/- and three cellphones. Three previous case is pending against the petitioner.

5. Taking into consideration the facts and circumstances of the case and the submissions made by the learned Counsel, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:



WEB

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 (15) days from the date on which the copy of the order is made ready, before the Judicial Magistrate, Sriperambudur, on condition that the petitioner shall execute a separate 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:

[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 10.30a.m., for a period of two weeks and thereafter on every Monday at 10.30am 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]***.

<https://www.mhc.tn.gov.in/judis> [f] If the accused thereafter abscond, a fresh FIR can be registered under



Section 229A IPC.

WEB COPY

8. With the above directions, this Criminal Original Petition is ordered.

09.09.2022

tsh

A.D. JAGADISH CHANDIRA. J,



WEB COPY



tsh

Crl.O.P.No.21782 of 2022

09.09.2022.