



Crl.O.P.No.25402 of 2022

Crl.O.P.No.25402 of 2022

WEB COPY

A.D.JAGADISH CHANDIRA, 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.210 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused were found in possession of banned lottery tickets. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has nothing to do with the alleged offence. He would further submit that the petitioner has been falsely roped in this case since the respondent suspects that the petitioner is the friend of A1. Hence, he prays for grant of anticipatory bail to the petitioner.



CrI.O.P.No.25402 of 2022

WEB COPY

4.The learned Additional Public prosecutor would submit that the petitioner along with other accused were found in possession of banned lottery tickets. He would further submit that there is no previous case against the petitioner. However, he opposed for grant of anticipatory bail to the petitioner.

5.Taking into consideration the facts of the case and the submissions made by the learned counsel and also of the fact that there is no previous case pending against the petitioner, 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, Paramathi, Namakkal District, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer, who intends to



Crl.O.P.No.25402 of 2022

WEB COPY

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 10.30 a.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.**



Crl.O.P.No.25402 of 2022

State of Kerala [(2005)AIR SCW 5560];
WEB COPY

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC;

25.11.2022

ata



WEB COPY



Crl.O.P.No.25402 of 2022

A.D.JAGADISH CHANDIRA, J.

ata

Crl.O.P.No.25402 of 2022

25.11.2022