

Crl.O.P.No.354 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest for the alleged offence under Section 12 of TN Gaming Act, 1930 r/w under Section 353 of IPC in Cr.No.327 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the respondent police were conducted an investigation regarding gambling in Tirupatur area, at that time some person were gambling were caught and interrogated and 14,800 were confiscated during gambling and enquired. Therefore, the petitioner along with five accused persons were escaped from that place. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.



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4.The learned Government Advocate (Crl.side) would submit that totally there are six accused, the petitioner is arrayed as A4. He would further submit that 40 cards were seized from the petitioner/A4. Hence, he opposed to grant of anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the submissions made by the both counsel and also the fact that the petitioner has willfully and on his own volition agreed to contribute some amount for charitable purpose, 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 before the **learned Judicial Magistrate No.II, Tirupattur**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten thousand only)** 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 is directed to deposit a sum of **Rs.5,000/- (Rupees Five Thousand only)** to the **Registered Advocate Clerks Association, Tirupattur**, within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below.

[b] 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.

[c] the petitioner is directed to report before the respondent police on every Saturday at 10.30 a.m., for a period of twelve weeks and thereafter as and required for interrogation;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during



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investigation or trial.

T.V.THAMILSELVI, J.

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[f] 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 petitioners 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]**;

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

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