



Crl.O.P.No.20886 of 2023

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WEB CRI RMT.TEEKAA RAMAN, J.

The Petitioner, who apprehends arrest at the hands of the Respondent police for the offence punishable under Section 7(3) Lotteries Regulation Act, 1998 in Crime No.519 of 2023 on the file of the Respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on routine check up, the Respondent found one Manikandan with banned lottery tickets, then the Respondent arrested him and seized the bill books and cash of Rs.3,250/-. Hence the complaint.

3.The learned Counsel for the Petitioner would submit that earlier, the name of the Petitioner was not found in the FIR and based on the confession statement of the co-accused only his name was implicated in the FIR and he is ready to abide any condition imposed by this Court. Hence, the learned counsel for the Petitioner prays for grant of anticipatory bail to the Petitioner.

4.The learned Government Advocate (Crl. Side) for the Respondent vehemently opposed to grant anticipatory bail to the Petitioner.

5.Heard both sides and perused the materials available on record.

6.Taking into consideration the facts and circumstances of the case and also the submissions made by the learned counsel on either sides and the



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nature and gravity of the offence, this Court is inclined to grant anticipatory bail to the Petitioner with certain conditions.

7. Accordingly, the Petitioner are 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 I, Poonamallee**, on condition that the Petitioner shall execute a separate 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 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 without prejudice to his defence shall make a non refundable deposit of Rs.3,000/- (Rupees Three Thousand only) to the credit of Crime No.519 of 2023 before the Court, concerned.**

[c] **the Petitioner shall report before the Respondent Police, everyday at 10.30 a.m., for a period of three weeks and thereafter as and when required;**



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

[e] the Petitioner shall not abscond either during investigation or trial.

[f] 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]**.

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

14.09.2023

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