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Crl.O.P.No.21006 of 2023

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RMT.TEEKAA RAMAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Section 4(1)(a)(II) of TN Gaming Act 1930 r/w 420 IPC in Crime No.457 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of prosecution is that petitioner along with co-accused were alleged to have conducted cotton betting gambling near Vaniyambadi Perumalpettai Junction and cheated the *de-facto* complainant and others, by collecting Rs.10/- from each participant under the guise that the winner will be awarded Rs.700/- in the evening. Hence, the case.

3. The learned counsel for the petitioner submitted that petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) submitted that petitioner along with co-accused conducted Cotton



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Betting gambling wherein they collected Rs.10/- from each participant under the pretext that Rs.700/- will be awarded to the winner. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Heard both sides and perused the records.

6. Considering the fact and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is directed to deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of Crime No.457 of 2023, within a period of three weeks from the date on which the order copy made ready, and on such deposit, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the **learned Judicial Magistrate, Vaniyambadi**, on condition that 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



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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 is directed to deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of Crime No.457 of 2023, within a period of three weeks from the date on which the order copy made ready.

[c] the final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial.

[d] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

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



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[f] the petitioner shall not abscond either during investigation or trial.

[g] 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]**.

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

14.09.2023

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