



Crl.O.P.No.23778 of 2023

WEB COPY

Crl.O.P.No.23778 of 2023

C.V.KARTHIKEYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 353, 506 (1) IPC and Section 7 (3) of Lotteries Regulation Act, 1998, in Crime No.342 of 2023, seeks anticipatory bail.

2.The learned Government Advocate (Crl.Side) submitted that petitioner was found in possession of illegal lottery tickets of Kerala. Therefore, he was taken into custody and on enquiry, it is stated that he threatened the respondent, necessitating Sections 353 and 506 (i) IPC. Thus, he prayed for dismissal of this petition.

3.The learned counsel for the petitioner states that petitioner is an innocent person and he has been falsely implicated in this case. He further stated that the petitioner has no previous case pending against him and disputes the allegation that he threatened the police officials. Thus, he prays for grant of anticipatory bail to the petitioner.



Crl.O.P.No.23778 of 2023

WEB COPY

4. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner. 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 **XVI M.M.George Town, Chennai**, 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 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 morning at 10.30 a.m., until further orders.



CrI.O.P.No.23778 of 2023

WEB COPY

[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]**.

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

16.10.2023

sli

C.V.KARTHIKEYAN, J.



WEB COPY



Crl.O.P.No.23778 of 2023

sli

Crl.O.P.No.23778 of 2023

16.10.2023