



Crl.O.P.No.30354 of 2022

Crl.O.P.No.30354 of 2022

WEB COPY

T.V.THAMILSELVI, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 7(1), 7(3) of the Lotteries Regulation Act, 1998 r/w Section 420 of IPC in Crime No.656 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was 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 been falsely implicated in this case. He would submit that there is no previous case against the petitioner. Therefore, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that the petitioner was found in



Crl.O.P.No.30354 of 2022

possession of banned lottery tickets. He would further submit that the petitioner has no previous cases as against him. Hence he vehemently opposed for grant of anticipatory bail to the petitioner.

5.Taking into consideration the facts and submissions of the learned Counsel, this Court is inclined to grant anticipatory bail to the petitioner subject to the following 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, Valappadi** 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.10,000/- (Rupees Ten Thousand only)** to the **Registered Advocate Clerks Association, Salem** within a



WEB COPY



Crl.O.P.No.30354 of 2022

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 every Saturday at 10.30 a.m., for a period of eight weeks and thereafter appear before the trial Court on all hearing dates;

[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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on



WEB COPY



Crl.O.P.No.30354 of 2022

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.

04.01.2023

kmm



WEB COPY



Crl.O.P.No.30354 of 2022

T.V.THAMILSELVI, J.

kmm

Crl.O.P.No.30354 of 2022

04.01.2023