



Crl.OP.No.25267 of 2023

Crl.O.P.No.25267 of 2023

WEB COPY

**C.V.KARTHIKEYAN,J.**

The petitioners seek anticipatory bail in Crime No.475 of 2023 registered by the respondent police for the offences punishable under Sections 420 of IPC r/w 5, 7(3) of Lotteries Regulation Act, 1988 for the occurrence which took place on 25.10.2023.

2. It is stated that A1 has been arrested and had been granted anticipatory bail, on his confession, the present petitioners had been implicated.

3. The learned counsel for the petitioners submitted that the petitioners are innocent of the offence. It is stated that they have never indulged in selling lottery tickets.



Crl.OP.No.25267 of 2023

WEB COPY

4. Taking into fact that the case against the petitioners is on the basis of confession statement which will have to be first had admissible and then have to be proved in the manner known to law, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions:

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the *learned Judicial Magistrate-I, Erode* on condition that each of the petitioners shall execute separate bonds for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties, 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:



Crl.OP.No.25267 of 2023

[a] the petitioners 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 petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 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]**.

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

**17.11.2023**

Vv



WEB COPY



CrI.OP.No.25267 of 2023

**C.V.KARTHIKEYAN,J.**

Vv

CrI.O.P.No.25267 of 2023

**17.11.2023**