



Crl.O.P.No.28162 of 2023

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C.V.KARTHIKEYAN, J.

The Petitioners seek anticipatory bail in Crime No.576 of 2023 registered by the Respondent Police for the offences under Sections 5 and 7(3) of Lotteries Regulation Act, 1998.

2. The learned Government Advocate (Criminal Side) stated that the Petitioners were trying to sell banned lottery tickets and total number of 184 lottery tickets were seized from the Petitioners herein. He also stated that there is one previous case as against the Petitioners herein.

3. The learned counsel for the Petitioners stated that the Petitioners were not committed any offences as alleged by the Respondent Police. Thus, he prays for grant of anticipatory bail to the Petitioners herein.

4. Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the Petitioners with certain conditions that **each of the Petitioners are directed to deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the Dean, Government General Hospital,**



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Thiruvannamalai for a treatment of needy patients. 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, Thandrampattu, Tiruvannamalai District**, on condition that the petitioners 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 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 deposit a sum of Rs.5,000/- (Rupees Five Thousand only) each, to the Dean, Government General Hospital, Thiruvannamalai for treatment of needy patients.



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[c] the petitioners shall report before the Respondent Police daily at 10.30 a.m., until further orders.

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

[e] the petitioners 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 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.

18.12.2023

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