



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 15.02.2023
PRESENT
THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P(MD)No.2974 of 2023

WEB COPY

Kumaresan

...Petitioner/Accused No.2

-vs-

The State represented by
The Inspector of Police,
Peravurani Police Station,
Thanjavur District.
(in Cr.No.802 of 2022)

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 438 of Cr.P.C, praying to enlarge the petitioner on bail in the event of his arrest by the respondent Police with respect to Cr.No.802 of 2022.

For Petitioner	: Mr.D.R.Murugesan, Advocate
For Respondent	: Mr.K.Sanjai Gandhi Government Advocate (Crl.side)

O R D E R

The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 5 and 7 (3) of the Lotteries Regulation Act, in Crime No.802 of 2022 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution, as per the de-facto complainant, is that the accused persons have found to be selling of banned lotteries illegally and hence, case.

3.The learned Counsel for the petitioner would submit that the petitioner is an innocent and the petitioner has been falsely implicated in this case based on the confession of the arrested accused. He would also submit that the petitioner has not committed any offence, as alleged by the prosecution. He would also submit that the petitioner is ready to abide by any stringent conditions, that may be imposed on him. Hence, he would seek for anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.side) would submit that the accused persons have found to be selling of prohibited lotteries illegally. He would also submit that the petitioner is a habitual offender and against whom, there are six previous cases pending



against him and hence, he would strongly oppose it at anticipatory bail to the petitioner.

5. Taking into consideration the habituality of the petitioner in committing the crime and also the fact that the petitioner has six previous cases pending against him, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this petition is dismissed.

sd/-

15/02/2023

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/02/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

cmr

TO

1. THE INSPECTOR OF POLICE,
PERAVURANI POLICE STATION,
THANJAVUR DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.2974 of 2023

Date :15/02/2023

RK/BUC/SAR-4 (27/02/2023) 2P/3C