



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 18/05/2023

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI
CRL OP(MD) . No.9015 of 2023

WEB COPY

Baskar

... Petitioner/Accused No.4

Vs

The State rep.by,
The Inspector of Police,
Kundrakudi Police Station,
Sivagangai District.
(Crime No.57 of 2023).

... Respondent/Complainant

For Petitioner : M/s.Sanjay.S.M.,
Advocate.

For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.57 of 2023 on the file of
the Respondent Police.

ORDER : The Court made the following order :-

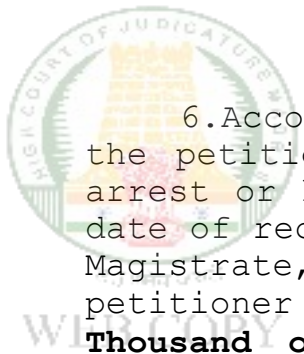
The petitioner, who apprehends arrest at the hands of the
respondent police for the alleged offence punishable under Sections
5 and 7(3) of Lotteries Regulation Act, 1998, in Crime No.57 of
2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 09.05.2023, on secret
information, the respondent police found that the accused persons
standing in front of Karungal Mandapam had shown the lottery result.
Hence,the complaint.

3.The learned counsel for the petitioner would submit that the
petitioner is innocent person and he has not committed any offence
as alleged by the prosecution. He has been falsely implicated in
this case. Hence, he prays for grant of anticipatory bail to the
petitioner.

4.The learned Government Advocate (Crl.Side) would submit that
there is no previous case pending against the petitioner and the
investigation is almost completed.

5.Considering the facts and circumstances of the case and also
the nature of allegations levelled against the petitioner, this
Court is inclined to grant anticipatory bail to the petitioner with
conditions.



6. Accordingly, this criminal original petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Karaikudi, Sivagangai District, 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 learned Magistrate concerned and on further conditions that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

(b) the petitioner shall report before the respondent police on every Wednesday at 10.30 am., for a period of three months and thereafter, as and when required for interrogation.

(c) the petitioner shall not tamper with the 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]**; and;

(f) if the accused / petitioner thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
18/05/2023

/ TRUE COPY /

/05/2023

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

ssb

TO

1. THE JUDICIAL MAGISTRATE, KARAIKUDI,
SIVAGANGAI DISTRICT.



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI.

3. THE INSPECTOR OF POLICE,
KUNDRAKUDI POLICE STATION,
SIVAGANGAI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.M.SANJAY, Advocate (SR-7760[I] dated 22/05/2023)

ORDER

IN

CRL OP(MD) No.9015 of 2023

Date :18/05/2023

RK/SAR- (25/05/2023) 3P/6C