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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15293 of 2023

Gnanasekaran

... Petitioner / Accused No.3

Vs

The state represented by
The Inspector of Police,
Peravurani Police Station,
Thanjavur District,
in Crime No.544 of 2022.

... Respondent/Complainant

For Petitioner : Mr.A.Vadivel, Advocate.

For R1 : Mr.R.Suresh Kumar

Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 544 of 2023 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused apprehends arrest at the hands of the respondent police for the offences under Sections 5 and 7(3) of Lotteries Regulation Act, 1998, in

Crime No.544 of 2022, on the file of the respondent police, seeks anticipatory bail.

<https://www.mhc.tn.gov.in/judis>



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2. The case of the prosecution is that on 28.08.2023, on receiving secret information, the respondent police went to the place of occurrence and made a search. They found the accused persons with lottery tickets for selling to the public. Hence the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent, he has been falsely implicated in this case and he has not committed any offence as alleged by the prosecution.

4. Learned Additional Public Prosecutor would submit that the petitioner is having 7 previous cases and by considering the fact, the earlier application of the petitioner seeking anticipatory bail was dismissed by this Court.

5. Learned counsel for the petitioner would submit that only based on the confession statement of the co-accused, the petitioner has been implicated in this case. No recovery has been made from the petitioner.

6. Considering the facts and circumstances of this case and since no change of circumstances, this Court is not inclined to grant relief to the petitioner.

<https://www.mhc.tn.gov.in/judis>



7. Accordingly, this Criminal Original Petition is dismissed.

sd/-
13/09/2023

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/10/2023

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

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.15293 of 2023

Date :13/09/2023

pnn

MK/06.10.2023 3P 3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023