



Crl.O.P.No.5012 of 2024

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 12 of Tamil Nadu Gaming Act and Section 11(1)(n) of Prevention of Cruelty of Animals Act and Section 420 of IPC in Crime No.60 of 2024, seeks anticipatory bail.

2. The case of the prosecution, as per the defacto complainant is that on 17.02.2024 at about 11 a.m, the defacto complainant went to watch the cockfight game. Subsequently, the defacto complainant met the petitioner herein and two other accused persons who assured that the winning cock would receive a prize amount of 5 times the amount paid. Thereafter, the defacto complainant has paid Rs.100, but did not receive the promised prize. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submits that he has not committed any such offence as alleged by



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the prosecution and no way connected with the alleged offence. Hence, he prays to grant anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that there are totally three accused in this case and the petitioner herein is arrayed as A1. Due to match fixing regarding cock fight game, the defacto complainant registered the FIR against the petitioner and two others. He further submits that the petitioner has no previous case pending against him. Hence, he opposed for the grant of anticipatory bail to the petitioner.

5. Taking into consideration the facts of the case and the submissions made by the learned counsels, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the *learned Judicial*



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Magistrate No.I, Vellore, on condition that the petitioner shall execute a bond 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 and on further condition that:

(a) the petitioner is directed to deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only)** to the credit of the **Advocate Clerk Association, Vellore**, within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below.

(b) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[c] **the petitioner shall report before the respondent police daily at 10.30 a.m, for a period of eight weeks;**

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial;



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[f] 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 has been imposed and the petitioner is 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;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

03.04.2024

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