



Crl.O.P.No.5902 of 2024

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C.V.KARTHIKEYAN, J.

The Petitioners seek anticipatory bail in Crime No.110 of 2024 registered by the Respondent Police for the offences under Section 420 IPC read with Section 5, 7(3) of Lotteries Regulation Act, 1998 with respect to an occurrence which took place on 19.02.2024. It is stated however, the First Information Report had been registered only on 04.03.2024.

2. The learned Government Advocate (Criminal Side) stated that the Accused A1 had been arrested. He also stated that the accused persons were found in possession of white papers with lottery numbers. It is also stated that there are twelve previous cases of similar nature as against the 1st Petitioner herein.

3. The learned counsel for the Petitioners stated that the Petitioners are innocent persons and they were not at all connected with the alleged offence. Thus, he prays for grant of anticipatory bail to the Petitioners herein.



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4. Taking all the factors into consideration, I am not inclined to grant anticipatory bail to the 1st Petitioner herein but this Court is inclined to grant anticipatory bail to the 2nd and 3rd Petitioners with certain conditions. Accordingly, the 2nd and 3rd 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 Judicial Magistrate No.III, Erode**, on condition that the 2nd and 3rd 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 conditions 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 2nd and 3rd petitioners shall report before the respondent daily at 10.30 a.m. for a period of two weeks and thereafter, as and when required for the interrogation.



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

[d] the petitioners 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 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]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

5. Accordingly, the anticipatory bail is granted as against the 2nd and 3rd Petitioners and dismissed as against the 1st Petitioner.

12.03.2024

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