



CrI.O.P.No.13838 of 2024

T.V.THAMILSELVI, J.

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The petitioner, who apprehends arrest for the alleged offences punishable under Sections 5, 7 (3) of Lotteries Regulation Act, 1998 IPC in Crime No.80 of 2024 on the file of the respondent/police, seeks anticipatory bail.

2.It is the case of the prosecution that on secret information the defacto complainant went to the spot and arrested A2 and A3 namely Balan and Abdul Rahim on 12.03.2024 who were in possession of banned lottery tickets belonging to Kerala State. Hence the complaint.

3.The learned counsel appearing for the petitioner would submit that based on the confession of A2 and A3 the petitioner herein has been implicated in this case. There is no material showing the identification of the petitioner or the other accused persons. Hence he prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (CrI. Side) vehemently opposed for grant of anticipatory bail to the petitioner. Investigation almost completed. The other accused were arrested and released on bail.

5.Heard the learned counsel for the petitioner, and the learned Government Advocate (CrI.Side) and perused the materials available on record.



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6.Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner.

7.Accordingly, the petitioner is directed to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Coimbatore, 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 respondent/police or the police officer, who intends to arrest the petitioner; or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(a) 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;

(b) the petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only) to the credit of



WEB COPY



Ctrl.O.P.No.13838 of ____

Registered Advocates Clerks Association, Coimbatore, 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;

(c) the petitioner shall appear before the respondent police on every alternate day 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;

(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 have been imposed and the petitioner released on bail by the learned Magistrate/trial Judge himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;



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CrI.O.P.No.13838 of ____

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

14.06.2024

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Crl.OP.No.13838 of 2024

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