



Crl.O.P. No.19154 of 2024

P. DHANABAL.J.,

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The petitioners apprehends arrest for the alleged offences under Sections 420 of IPC and 5, 7(3) of Lotteries Regulation Act, 1998 in Crime No.419 of 2024, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that defacto complainant working as Service Incharge at TVS Show room got introduced with A1, who is a mechanic used to come to the showroom to purchase spares. The defacto complainant asked A1 is there any way to earn additional income, the A1 told that he is getting 3 number lottery chits as token and is doing business and the persons who purchased it from him had won. The defacto complainant agreed to purchase the lottery tokens from A1 and purchased number of lottery tokens by giving money to A1 and the defacto complainant has not received any money in turn from A1. While so, the defacto complainant realised that he is getting cheated by A1 and hence, given the complaint.

3. The learned counsel appearing for the petitioners submits that petitioners are innocent and are not at all connected with the alleged offence and only based on the confession statement of A1 their names are included



and thus, he prayed to grant anticipatory bail to the petitioners.

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4. The learned Government Advocate (Criminal Side) submitted that, these petitioners along with A1 have cheated the defacto complainant through lottery. As per the confession statement of A1, these petitioners also involved in this case. There is no previous cases pending against the petitioners. However, he opposed for granting anticipatory bail to the petitioners.

5. Considering the rival submissions made on both sides and there is no previous cases pending against the petitioners and considering the nature of offences charged against the petitioner and these petitioners were included based on the confession statement of co-accused A1, this Court is inclined to grant **anticipatory bail** to the petitioners with certain conditions.

6. Accordingly, the petitioners are 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 Magistrate No.I, Tiruppur***, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), with two



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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 and on further condition that:

[a] **the petitioners shall report before the respondent police every Saturday at 10.30.a.m., for a period of four weeks;**

[b] the petitioners shall not abscond either during investigation or trial.

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

[d] 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]***.

[e] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 BNS.

09.08.2024

dpa

To

- 1.The Judicial Magistrate No.I, Tiruppur.
2. The Inspector of Police, Tiruppur North Police Station, Tiruppur District.



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