



Crl.O.P.No.29720 of 2024

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A.D.JAGADISH CHANDIRA, J.

Apprehending arrest in connection with Crime No.491 of 2024 registered for the offences punishable under Sections 4(1)(a)(ii) of TN Gaming Act, 1930 (Amendment 2021) r/w. 318(4) of BNS, 2023, the present petition has been filed seeking anticipatory bail.

2. The case of the prosecution is that, on 09.11.2024, at about 14.30 Hrs, the defacto complainant went to Lakshmikanpuram village, at that time, the accused were illegally conducting cotton betting game and they were collecting money and selling the cotton slips to the public. Hence the case.

3. Pleading innocence on the part of the petitioners, false implication in the case, learned counsel for the petitioners seeks indulgence of this court. He further submits that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court.

4. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of anticipatory bail, would submit that, the petitioners/A2 – A4 were



Crl.O.P.No.29720 of 2024

illegally conducting and collecting money for cotton betting game and selling the cotton slips to the public. He would further submit that the first petitioner/A-2 has six previous cases.

5. Having heard the learned counsel for the petitioners, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, considering the bad antecedents against the first petitioner/ A2, this court is not inclined to grant anticipatory bail to him and hence, the same is dismissed. As far as second and third petitioners/A3 and A4 are concerned, this court is inclined to grant anticipatory bail to them with certain conditions.

6. Accordingly, the second and third petitioners/A3 and A4 are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate No.III, Vellore**, on condition that the second and third petitioners/A3 and A4 shall execute a separate bond for a sum of **Rs.15,000/- (Rupees Fifteen 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



Crl.O.P.No.29720 of 2024

condition that:

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[a] the second and third petitioners/A3 and A4 and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure their identity;

[b] the second and third petitioners/A3 and A4 shall report before the respondent police daily at 10.30 a.m., until further orders;

[c] the second and third petitioners/A3 and A4 shall not tamper with evidence or witness either during investigation or trial;

[d] the second and third petitioners/A3 and A4 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 second and third petitioners/A3 and A4 in accordance with law as if the conditions have been imposed and the second and third petitioners/A3 and A4 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 269 of B.N.S.

28.11.2024

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A.D.JAGADISH CHANDIRA, J.



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Crl.O.P.No.29720 of 2024

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Crl.O.P.No.29720 of 2024

28.11.2024