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Crl.O.P.No.31391 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-12-2024

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 31391 of 2024

Karthi Alias Karthik
S/o.Ayyanar, Mariyamman Kovil Street,
V.Maruthue, Villupuram And District.

Petitioner(s)

Vs

State By, The Inspector Of Police,
Vikravandi Police Station, Villupuram District.

Respondent(s)

For Petitioner(s):

D.Ashok Kumar
M.Janani
A.R.Manikandan
Harish.K.R
Jayalakshmi.P

For Respondent(s):

Public Prosecutor

ORDER

The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 132, 351(2) and 112(2) of BNS and under Section 12 of TN Gaming and Police Laws Act, 1930 (Amendment 2021) in Crime No.834 of 2024, on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that on 27.11.2024, while the defacto complainant and his police officials were on their inspection, they found that the petitioner along with other accused persons were illegally gambling using cards and when the respondent police tried to catch them, the accused persons abused and threatened the defacto complainant with dire consequences and prevented him from discharging his official duty. It is also stated that the respondent police have seized a cash of Rs.6,700/- and cards, 4 cars and 2 two wheelers from the place of occurrence.

3. Learned counsel appearing for the petitioner would submit that the petitioner is innocent and has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the petitioner has no previous case with respect to gambling and is ready to produce solvent sureties and also to abide with any conditions that may be imposed by this Court, therefore, he prayed for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for grant of anticipatory bail to the petitioner, stating that the petitioner along with co-accused had involved in illegal gambling with



cards. He further submitted that the petitioner has six previous cases.

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5. Heard the learned counsel for the petitioner, the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record including the FIR.

6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsel on either side and considering the nature of offence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered 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, Vikravandi** on condition that the petitioner 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 condition that:



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[a] the petitioner 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 petitioner shall report before the respondent police everyday at 10:30 a.m., until further orders.

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

[d] the petitioner 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 269 of B.N.S.

18.12.2024

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Crl.O.P.No.31391 of 2027

To

1. State By, The Inspector Of Police,
Vikravandi Police Station, Villupuram District.



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A.D. JAGADISH CHANDIRA, J.

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