



CRL OP(MD)No.19328 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD)No.19328 of 2024

C.Rajendran

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu
represented by
The Inspector of Police,
Thiruthangal Police Station,
Virudhuangar District.
Crime No.354 of 2024)

...Respondent/Complainant

For Petitioner : M/s.K.P.Sankarakumarakuruparan
Advocate

For Respondent : Mr.A.Albert James,
Government Advocate (Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

PRAYER :- For Anticipatory Bail in Crime No.354/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for



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the alleged offences under Section 7(3) of the Lotteries Regulation Act, 1998 in Crime No.354 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was found to be selling Kerala Lottery Tickets in Tamil Nadu. There are totally two accused persons in this case and the petitioner has been arrayed as A1. Hence, the case.

3. The learned Government Advocate(Crl.side) submitted that there are two previous cases as against the petitioner for similar offences.

4. Heard the learned counsel on either side, and perused the material records of the case.

5. Taking into consideration the facts and circumstances of the case and also considering the age of the petitioner who is 78 years, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate-II, Sivakasi 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 or to the satisfaction of the said Magistrate, 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 as and when required for interrogation;

[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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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]; and;

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

sd/-
08/11/2024

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/11/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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RJR

TO

1 THE JUDICIAL MAGISTRATE NO.II,
SIVAKASI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE,
THIRUTHANGAL POLICE STATION,
VIRUDHUANGAR DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.K.P.SANKARAKUMARA KURUPARAN, Advocate (SR-13749[I]
dated 08/11/2024)

ORDER IN
CRL OP(MD) No.19328 of 2024
Date :08/11/2024

SA/SAR. /25.11.2024/4P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.