



CRL OP(MD). No.20715 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/11/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.20715 of 2024

Prakash,

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
Rep By,
The Inspector of Police,
Town South Police Station,
Dindigul,
Cr.No.380 of 2024..

... Respondent/ Complainant

For Petitioner : Mr.C.Mayilvahana Rajendran,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.380 of 2024 on the file of the respondent police.



CRL OP(MD). No.20715 of 2024

ORDER : The Court made the following order :-

The petitioner / A2, who apprehends arrest at the hands of the respondent Police for the offence under Sections 7(3) of Lottery Regulation Act in Crime No.380 of 2024 on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that on 22.11.2024, Accused No.1 was found in possession of banned lottery tickets worth about Rs.1290. 41 lottery tickets were seized and Accused No.1 was arrested. Accused No.2 is said to have purchased the lottery tickets from Kerala and gave it to Accused No.1.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent Police.

4. Taking into consideration the facts and circumstances of the case and also considering the fact that the entire lottery tickets have been seized and there are two previous cases pending against the petitioner, out of which, one is a similar case, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.



CRL OP(MD). No.20715 of 2024

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5. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.III, Dindigul, 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:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled;

[b] the petitioner shall report before the respondent police every Monday and Friday at 05.30 p.m. for a period of six weeks and thereafter, 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



CRL OP(MD). No.20715 of 2024

learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court

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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 269 of BNS 2023.

sd/-
27/11/2024

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/12/2024

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

TSG

TO

- 1 THE JUDICIAL MAGISTRATE NO.III
DINDIGUL.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL.
- 3 THE INSPECTOR OF POLICE,
TOWN SOUTH POLICE STATION,
DINDIGUL
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.C.MAYIL VAHANA RAJENDRAN, Advocate (SR-14606[I] dated 27/11/2024)



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CRL OP(MD). No.20715 of 2024

ORDER
IN
CRL OP(MD) No.20715 of 2024
Date :27/11/2024

SS/VR/SAR- /04/12/2024/ 5P/6C

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