



CRL OP(MD). No.21626 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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Suresh

... Petitioner/ Accused No.3

Vs

The State of Tamilnadu,
Rep By, The Inspector of Police,
Woraiyur Police Station,
Trichy City.
Cr.No.906/2024..

.. Respondent/ Complainant

For Petitioner : Mr.S.Pandiyaraj, Advocate

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.906 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioner/accused who apprehends arrest at the hands of the respondent police for the offences punishable under sections 5, 7(3) of Lotteries Regulation Act, 1998 & 318(4) of BNS, 2023, in Crime No. 906 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that A1 and A2 were found selling lottery tickets. The lottery tickets were seized and both of them were arrested and based on their confession it came to light that the petitioner, had given the lottery tickets for illegal sale. There are totally three accused persons in this case and the petitioner has been arrayed as A3.

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

4. Taking into consideration of the facts and circumstances of the case and considering the fact that the petitioner has been roped in this case based on the confession of co-accused and A1 and A2 have already been enlarged on bail and the lottery tickets have already been seized and there are no previous cases against the



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petitioner, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

5. Accordingly, this criminal original petition is ordered and 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.IV, Trichy, 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 fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] 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.

[c] the petitioner shall report before the respondent police as and when required for interrogation.

[d] the petitioner shall not tamper with evidence or witness either during



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investigation or trial;

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[e] the petitioner shall not abscond either during investigation or trial;

[f] 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;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

sd/-
09/12/2024

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/12/2024
Sub-Assistant Registrar (CS-I / II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM

TO

1. The Judicial Magistrate No.IV, Trichy,
2. Do-Through The Chief Judicial Magistrate,
Trichy District.



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3. The Inspector of Police,
Woraiyur Police Station,
Trichy City.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.PANDIYARAJ, Advocate (SR-15152[I] dated 10/12/2024)

ORDER
IN
CRL OP(MD) No.21626 of 2024
Date :09/12/2024

RK/SKN (13/12/2024) 5P / 6C

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