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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08.05.2025

PRESENT

The HONOURABLE MR. JUSTICE M.JOTHIRAMAN

CRL OP(MD)No.8361 of 2025

Antony Premkumar ... Petitioner

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Palakarai Police Station,
Trichy City. ... Respondent

For Petitioner : Mr.T.J.Ebenezer Charles

For Respondent : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.684 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.4, who apprehends arrest at the hands of the respondent police for the offences punishable under section 5 r/w. 7(3) of Lotteries

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Regulation Act 1988, in Crime No.684 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 29.12.2024, at about 4.15 p.m., when the police officials were on surveillance, they caught hold the accused 1 and on enquiry, A1 confessed that he received the printed form of lottery tickets from the petitioner/A4. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he is not involved in any offence as alleged by the prosecution. He further submits that the petitioner is not having any previous case and only based on the confession statement of the co-accused, he has been implicated in this case Therefore, he seeks to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submits that the petitioner/A4 is the main supplier of the lottery tickets, from whom, A1 to A3 received the lottery tickets. On the date of occurrence, A1 was arrested and on seeing the police officials, A2 and A3 ran away from the place of the occurrence. Based on the confession statement of A1 that he has received the lottery tickets from the petitioner, the petitioner has been implicated in this case. He further submits that the petitioner is having one previous case for the offence under Section 506(ii) IPC.

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Therefore, he opposes to grant anticipatory bail to the petitioner.

5. Considering the nature of the allegations and also considering the fact that there is no similar previous case as against the petitioner, this court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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 on which the order copy made ready, before the learned Judicial Magistrate No.V, 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[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 daily at 10.30 a.m. until further orders.

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

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[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 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 BNS 2023.

Sd/-
08/05/2025

// True Copy //

/ /2025
Sub Assistant Registrar
(CS - I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai

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TO

1. The Judicial Magistrate Court No.V,
   Trichy.

2.Do Through
   The Chief Judicial Magistrate,
   Trichy.

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

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

+1 CC to M/s.T.J.EBENEZER CHARLES, Advocate (SR-5343[I] dated 08/05/2025)

ORDER
IN
CRL OP(MD) No.8361 of 2025
Date : 08.05.2025

BV(26/05/2025) 5P/ 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.

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