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Crl.O.P.No.177 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-01-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 177 of 2025

R K Devaraj
S/o.Krishnan, No 16 First Street New Anna Nagar
Pudur Ambattur Chennai

Petitioner(s)

Vs

State by The Inspector of Police
T- 1, Ambattur Police Station Chennai Crime No.
1364 of 2024

Respondent(s)

For Petitioner(s):

M Jaikumar
J.Pavithra

For Respondent(s):

Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 5 and 7(3) of TN Lotteries Regulation Act, 1998 in Crime No.1364 of 2024, on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that, based on a secret information, the respondent police went to the spot and found one person, who involved in selling banned lottery tickets through online and upon his confession, the petitioner herein arrayed as an accused. Hence, this case.

3. Learned counsel appearing for the petitioner would submit that petitioner is innocent and he has been falsely implicated in this case, based on the confession of the arrested accused. He would further submit that the petitioner is ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court, therefore, he prayed for the grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for granting of anticipatory bail to the petitioner, stating that the petitioner had instigated the co-accused to sell banned Kerala and Bhutan lottery tickets through online. He further submitted that the petitioner has three previous cases, out of which, one is of similar nature.

5. Heard the learned counsel for the petitioner and 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 counsels on either side, 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 Judicial Magistrate Court at Ambattur** 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:

[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.



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[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.

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To

1. State by The Inspector of Police
T- 1, Ambattur Police Station
Chennai
Crime No. 1364 of 2024



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A.D. JAGADISH CHANDIRA, J.

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