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Crl.O.P.No.820 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-01-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 820 of 2025

Arul @ Arun
S/o. Sekar, Door No.123, 4th Street A Block, SS
Puram, Perambur, Chennai - 12.

Petitioner(s)

Vs

State By, Inspector Of Police,
G5, Secretariat Colony Police Station, Chennai.
Cr.No.315 of 2024.

Respondent(s)

For Petitioner(s): D Gokul Krishnan

For Respondent(s): Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 7(3) of Lotteries Regulation Act, 1988 in Crime No.315 of 2024, on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that, on 27.12.2022, based on a secret information, the respondent police went to the spot and found that the accused person/A1 was involved in illegal selling of other state banned lottery tickets and based on his confession, it is revealed that the petitioner along with other accused persons were also involved in illegal selling of banned lottery tickets for their personal gain. 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 also submitted that the petitioner had never committed any offence as alleged by the prosecution. 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 and also undertake to appear and to co-operate for the investigation, 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 along with other accused had involved in illegal selling of banned other state lottery tickets for their personal gain. He also submitted that the petitioner has been arrayed as an accused, based on the confession of the co-accused and he has no previous case.

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 and the fact that the petitioner has no previous case, 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 II Metropolitan Magistrate Court, Egmore, Chennai** 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.

[b] the petitioner shall report before the respondent police everyday at 06:30 p.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 petitioner in accordance with law as if the conditions have been imposed and the



Crl.O.P.No.820 of 2024

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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

29.01.2025

stn

To

1. State By, Inspector Of Police,
G5, Secretariat Colony Police Station,
Chennai.
Cr.No.315 of 2024.



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A.D.JAGADISH CHANDIRA, J.

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