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Crl.O.P.No.661 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.01.2025

CORAM

THE HONOURABLE Mr. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.661 of 2025

1.P.Manimaran

2.R.Sakthivel

.... Petitioners

Vs

The State rep. by
The Sub Inspector of Police,
Thiruvannainallur Police Station,
Villupuram District
Crime No.1001 of 2024

.... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioners on bail in the event of petitioners' arrest in Crime No. 1001 of 2024, on the file of the respondent.

For Petitioners : Mr.P.Jeyachandran

For Respondent : Mr.S.Santhosh
Government Advocate (Crl.Side)

ORDER

Apprehending arrest in connection with Crime No.1001 of 2024 registered for the offence punishable under Sections 5, 7 & 7(3) of



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Lotteries Regulations Act, 1998, the present petition has been filed seeking anticipatory bail.

2. Pleading innocence on the part of the petitioners, false implication in the case, learned counsel for the petitioners seeks indulgence of this Court. He further submits that the petitioners are ready to abide by any stringent condition that may be imposed by this Court.

3. The case of the prosecution as putforth by the learned Government Advocate (Crl. Side) appearing for the respondent Police, opposing for grant of anticipatory bail, is that the petitioner was found to be in illegal possession of 10 numbers of banned lottery tickets. He further submitted that the petitioners have no previous cases pending against them.

4. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.



5. Considering the facts and circumstances of the case and also considering the submissions made by the learned counsel for the petitioners, this Court is of the view that the petitioner may be granted bail. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **District Munsif-cum-Judicial Magistrate, Thiruvannainallur, Villupuram**, 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 everyday at 10.30 a.m., for a period of three weeks and thereafter, on every Saturday 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 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 BNS.

20.01.2025

Index : Yes/No

Internet : Yes/No

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To

1.The Sub Inspector of Police,
Thiruvannainallur Police Station,
Villupuram District

2.The Public Prosecutor,
High Court, Madras.



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