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Crl.O.P.No.1442 of 2025

CRL OP NO. 1442 of 2025
IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-01-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 1442 of 2025

1.Kalidhasan
S/o Annadhurai, No. 233(2), Kottavur, Thirupattur,
Mallapalli, Thirupattur District.

2.Suresh,
S/o. Samu,
Kattun Village, Pudhupettai Post,
Tirupattur District.

Petitioners(s)

Vs

State of Tamilnadu, Rep. by Inspector of Police,
Natrapalli Police Station, Thirupathur District. (Cr. No. 5 of 2025)

Respondent(s)

For petitioners(s): Mr. R.Parthiban

For Respondent(s): Mr. S.Santhosh, Government Advocate (criminal Side).

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 12 of the Tamil Nadu Gaming and Police Laws Act, 1930 and under Section 112, 318(4) of the Bharatiya Nyaya Sanhita (BNS), 2023, in Crime No.5 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that based on the secret information,



the defacto complainant along with team officials, conducted an inspection regarding illegal gambling. Upon inspection, they found that the accused persons illegally gambling using cards near a village lake, when the respondent police attempted to apprehend them, the accused persons allegedly fled the scene, except for these petitioners. Hence, this case.

3. Learned counsel appearing for the petitioners would submit that the petitioners are innocent and have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that the petitioners are ready to produce solvent sureties and to abide with any conditions that may be imposed by this Court, therefore, he prayed for grant of anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for grant of anticipatory bail to the petitioners, stating that the petitioners were involved in gambling, and the case has been registered under the Tamil Nadu Gaming and Police Laws Act. The petitioners engaged in gambling with the other accused. Except for these petitioners, the others fled the scene. Further, he submitted that the petitioners have three previous cases, all similar in nature, registered in the year 2017 and 2020. Since then, no cases have been registered against these petitioners.

5. Heard the learned counsel for the petitioners, the learned Government Advocate (Crl. Side) appearing for the respondent police and



perused the materials available on record including the FIR.

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6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsel on either side and considering the nature of offence and also taking note of the fact that the petitioners have three previous cases, similar in nature in the year 2017 and 2020, and thereafter, no cases have registered against these petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions, and 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 on which the order copy made ready, before **the learned Judicial Magistrate Court No.II, Tirupattur**, on condition that the petitioners 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 petitioners 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 petitioners shall report before the respondent



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police everyday at 06:30 P.M., until further orders;

[c] the petitioners shall not tamper with evidence or witness either during the investigation or during the trial;

[d] the petitioners shall not abscond either during the investigation or during the 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 were 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 petitioners thereafter abscond, a fresh FIR can be registered under Section 269 of B.N.S.

24.01.2025

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To

1.State of Tamilnadu, Rep. by Inspector of Police,
Natrampalli Police Station, Tirupathur District. (Cr. No. 5 of 2025)

A.D. JAGADISH CHANDIRA, J.

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