



CRL OP NO. 1645 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. 1645 of 2025

Dhinakaran V

S/o.Venugopal, 94/174, Anthiyur Road, Bhavani, Erode - 638 301.
and another

Petitioner(s)

Vs

State Rep. By, The Inspector Of Police
Chithode Police Station, Erode District. Crime No.36 Of 2025

Respondent(s)

For Petitioner(s):

C.S.Saravanan
C.S. Saravanan
T.Sudhan Raj
Amala Ananthi
M.Vignesh

For Respondent(s):

S.Santhosh
Government Advocate (criminal Side)
Madras High Court.

ORDER

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 112, 318(4) of BNS 2023 and Section 5 r/w 7(3) of Lotteries Regulation Act, 1998 in Crime No.36 of 2025, on the file of the respondent police, seek anticipatory bail.



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2. The case of the prosecution is that on 20.01.2025, when the respondent police were patrolling near Pachappalimedu, they found the petitioner involved in selling the banned

other States Lottery tickets. Hence, this case.

3. Learned counsel appearing for the petitioner would submit that the petitioner is innocent and have not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the petitioner is 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 petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for grant of anticipatory bail to the petitioner, stating that the petitioner along with co-accused had involved in illegal selling of the banned other States lottery tickets. He further submitted that there are three previous case was registered as against the petitioner in the year 2022.

5. Heard the learned counsel for the petitioner, 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 the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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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 learned Judicial Magistrate No.III, Erode**, 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 6:30 p.m., for a period of two weeks and thereafter, 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.



[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 B.N.S.

24-01-2025

msv
To
The Inspector Of Police
Chithode Police Station,
Erode District.