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Crl.O.P.No.2306 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO.2306 of 2025

Gopi,
S/o. Ravi,
No.05, 4th Cross Street,
Boombukar Nagar, Pammal, Chennai – 75.

Petitioner(s)

Vs

The State Represented by
The Inspector of Police,
Shankar Nagar Police,
Chengalpattu District. (Crime No.719 of 2024)

Respondent(s)

For petitioner(s): Mr. P. Renukumar

For Respondent(s): Mr. S. Balaji, Government Advocate (Crl.side).

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections Section 7(3) of Lotteries Regulation Act 1998, in Crime No.719 of 2024, on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that, during an inspection, the respondent police found the petitioner and two other individuals selling banned lottery tickets. Upon interrogating the accused/A1, he confessed that the petitioner and other accused instigated and engaged him to sell the Kerala lottery tickets. Hence, this case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case, based on the confession of the co-accused. The petitioner had never committed any offence as alleged by the prosecution; and 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, and prayed for anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for the grant of anticipatory bail to the petitioner, stating that the petitioner, along with other accused was involved in illegal sale of banned lottery tickets. The petitioner was implicated based on the confession statement of the accused/A1. The petitioner has three previous cases of a similar nature, and the investigation is ongoing. He also



submitted that the petitioner was arrested and released on bail in other cases and the lotteries were seized.

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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 First Information Report.

6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsels on either side, and also considering the fact that though the petitioner has three previous cases pending against him, he was arrested and released on bail in other cases, and the lottery tickets were seized, and since custodial interrogation is not required, 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 learned District Munsif Cum Judicial Magistrate Court, Pallavaram**, 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 daily at 10:30 A.M., until further orders;

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

[d] the petitioner 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



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appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner was 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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

18-02-2025

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To

1.The State Represented by
The Inspector of Police,
Shankar Nagar Police,
Chengalpattu District. (Crime No.719 of 2024).



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SUNDER MOHAN, J.

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