



Crl.O.P.No.1907 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07.02.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.1907 of 2025

Pattabi
S/o.Rajagopal,
No. 14/10, Subramaniam Street,
Salavanpettai, Vellore, Vellore District.

...Petitioner

Vs

The State Rep by, The Inspector of Police,
Vellore South (L and O) Police Station,
Vellore, Vellore District.
(Crime No. 15 of 2025)

...Respondent

PRAYER: - The Criminal Original Petition is filed under Section 482 of B.N.S.S., 2023, praying to enlarge the petitioner on bail in the event of his arrest in Crime No.15 of 2025 on the file of the respondent police.

For Petitioner : Mr.Vinodh Kumar

For Respondent : Mr. Leonard Arul Joseph Selvam
Government Advocate [Criminal side]



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ORDER

The petitioner / Accused-2, who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 5 and 7(3) of Lotteries Regulation Act, 1998 and 318(4) of BNS, in Crime No.15 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant had purchased lottery tickets from A1, which is prohibited, and that on the confession of A1 it was revealed that he had handed over the sale proceeds of the lottery tickets to A2 (petitioner herein) and A3.

3. Learned counsel for the petitioner would submit that there is absolutely no material against the petitioner and that in any case considering the nature of allegation, custodial interrogation of the petitioner is not required and hence prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side), per contra,



would submit that there are 12 previous cases against petitioner of similar nature and that in the instant case he was implicated only on the confession of A1.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent police and perused the materials available on record.

6. Considering the nature of allegations, the petitioner is on bail in all the other cases and since the custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner on 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 of receipt of a copy of this order, before the learned **Judicial Magistrate No.I, Vellore**, 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions 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.

[c] the petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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].

[g] If the accused thereafter abscond, a fresh FIR can be registered



CrI.O.P.No.1907 of 2025

under Section 269 B.N.S.

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bga

To

- 1.The Judicial Magistrate No.I, Vellore.
2. The Public Prosecutor, High Court, Madras.
3. The Inspector of Police,
Vellore South (L and O) Police Station,
Vellore, Vellore District.
(Crime No. 15 of 2025)



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SUNDER MOHAN. J.,

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