



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2025

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THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.2079 of 2025

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... Petitioner

Vs.

The State Rep. by
The Inspector of Police,
Steel Plant Police Station,
Salem District.
(Crime No.9 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of
his arrest in Crime No.9 of 2025 on the file of the respondent Police.

For Petitioner : Mr.W.Camyles Gandhi
For Respondent : Mr.S.Santhosh
Government Advocate (Crl.Side)

ORDER

The petitioner / A4, who apprehends arrest at the hands of the



respondent police for the offences punishable under Sections 7(1) and 7(3) of Lotteries (Regulation) Act, 1998 r/w Sections 112, 318(4), 336(2) BNS in Crime No.9 of 2025 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 05.01.2025 at about 15.00 hours, while the respondent police on their routine patrol duty, they found that the petitioner along with other accused were selling lottery tickets, which was banned by the Government of Tamil Nadu, to the general public. Hence the complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, he has not committed any offence as alleged by the prosecution, and he has been falsely implicated in this case and the prime accused were arrested and subsequently, released on bail by the learned Judicial Magistrate – I, Salem in CMP.No.95 of 2025 dated 08.01.2025. He further submitted that the petitioner is law-abiding citizens; and that he is ready and willing to abide by any conditions that may be imposed by this Court, and therefore, he prayed to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the



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respondent police submitted that the petitioner along other accused were found in possession of fake lottery tickets, which was banned by the Government of Tamil Nadu. He further submitted that there are no previous cases pending against the petitioner. However, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the submissions made by both sides, the nature of offences charged against the petitioner and there are no previous cases pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following 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 (15) days from the date on which the order copy was made ready, before the learned ***Judicial Magistrate – I, Salem,*** 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] 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 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness 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 B.N.S.

29.01.2025



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To

- 1.The Judicial Magistrate No.I, Salem.
- 2.The Inspector of Police,
Steel Plant Police Station,
Salem District.
- 3.The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA., J.

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