



Crl.O.P.No.2164 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.2164 of 2025

Manikandan @ Mani @ Mookambikai Mani
S/o. Manickam, No.10, Andal Srinivasan Lay-
Out, Udumalpet, Tiruppur District - 642 126.

Petitioner

Vs

The State Rep by, The Inspector of Police,
Udumalpet Police Station, Tiruppur District.
Crime No.38 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 anticipatory bail in the event of his arrest in Crime No.38 of 2025 on the file of the respondent police.

For Petitioner : Mr. Narayana Prasadh

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

ORDER



The petitioner / Accused-3, who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 318(4) of B.N.S., and 66B of Information Technology Act 2000 r/w 5 & 7(1) of Lotteries Regulation Act, 1998, in connection with the case in Crime No.38 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner purchased the band lottery tickets from other State through online and tried to sell the same to the public by creating fake whatsapp communications as if some persons successfully won lottery.

3. Learned counsel for the petitioner would contend that after the banning of lottery in Tamil Nadu, the petitioner is in Textile business; that the petitioner has been falsely implicated as an accused based on the confession of the co-accused and that the custodial interrogation of the petitioner is not required in this case. He therefore, prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side), per contra, would submit that the petitioner has 15 previous cases, which were



registered between the years 2016-2021 except for one case which was registered in the year 2024.

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 fact that the cases pending against the petitioner are of the year between 2016-2021, the nature of allegations 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, Udumalpet,** 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



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under Section 269 B.N.S.

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To

- 1.The Judicial Magistrate No.I, Udumalpet.
2. The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police,
Udumalpet Police Station, Tiruppur District.
Crime No.38 of 2025).



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SUNDER MOHAN. J.,

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