



Crl.O.P.No.2187 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.2187 of 2025

Murugan, M/51
S/o. Singaram

...Petitioner

Vs

The State Rep by, The Inspector of Police,
Vellore South Police Station,
Vellore, Vellore District.
(Crime No.433 of 2024)

...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 connection with Crime No.433 of 2024 on the file of the respondent police.

For Petitioner : Mr.K. Sathish 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 & 7(3) of Lotteries Regulation Act, 1998 r/w Section 318(4) of the Bharatiya Nyaya Sanhita (BNS) Act, 2023, in Crime No.433 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with the other accused was involved in selling lottery tickets and cheated the defacto complainant.

3. Learned counsel for the petitioner would submit that the petitioner is no way connected with the alleged offence and that he has been arrayed as an accused based on the confession of A1. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that A1 used to give lottery tickets to the other accused for selling them; that



based on the complaint given by the defacto complainant A1 was arrested and A1 in his confession stated that A2 (the petitioner herein) and A3 are the owners of the lottery tickets and they used to give lottery tickets to him for selling the same and that the petitioner has one previous case similar in nature and three cases under Gambling Act.

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 previous cases against the petitioner are not similar in nature and the petitioner is on bail on those 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



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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 under Section 269 B.N.S.

07.02.2025

bga

To

- 1.The Judicial Magistrate No.I, Vellore.
2. The Public Prosecutor, High Court, Madras.
3. The Inspector of Police,
Vellore South Police Station,
Vellore, Vellore District.
(Crime No.433 of 2024)



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SUNDER MOHAN. J.,

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