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Crl.O.P.No.2276 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2025

CORAM

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

Crl.O.P.No.2276 of 2025

P.Balasubramaniam

... Petitioner

Vs.

The State represented by,
The Sub-Inspector of Police,
Chengalpattu Town Police Station,
Chengalpattu.
(Crime No.10 of 2025).

... Respondent

For Petitioner : M/s.C.Celastina

For Respondent : Mr.S.Santhosh
Government Advocate (Crl.Side)

ORDER

Apprehending arrest in connection with Crime No. 10 of 2025 registered for the offences punishable under Sections 318(4) of BNS, 2023 and Sections 5 and 7(3) of the Lotteries Regulation Act, 1998, the present petition has been filed by the petitioner seeking anticipatory bail.

2. Pleading innocence on the part of the petitioner, false implication in



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the case, learned counsel for the petitioner seeks indulgence of this Court. He also submits that the petitioner is no way connected with the alleged offence and he has been falsely implicated in this case. He further submits that the co-accused were arrested and released on bail before the learned Judicial Magistrate No.I, Chengalpattu in Crl.M.P.No.96 of 2025 dated 21.02.2025. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this court.

3. The case of the prosecution, as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of anticipatory bail, is that the petitioner along with other accused were indulged in selling other State Lottery tickets to the public through mobile phones, which was banned by the Government of Tamil Nadu. He further submits that the petitioner has one previous case, similar in nature, pending against him.

4. Having 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, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly, he is ordered to be released



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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, Chengalpattu, 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 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 everyday at 10.30 a.m., until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail



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A.D.JAGADISH CHANDIRA.,J.

drl

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 abscond, a fresh FIR can be registered under Section 269 B.N.S.

30.01.2025

drl

To

1. The Sub-Inspector of Police,
Chengalpattu Town Police Station,
Chengalpattu.
2. The Public Prosecutor,
High Court of Madras.

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