



Crl.OP.No.2526 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.2526 of 2025

M.Hakkim Sait

... Petitioner /Accused

Vs.

State Rep. by the Inspector of Police,
Big Bazaar Police Station,
Coimbatore,
Crime No.322 of 2024

... Respondent/ Complainant

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to release the petitioner on bail in the event of his arrest by the police in Crime No.322 of 2025 on the file of the Inspector of Police, Big Bazaar Police Station, Coimbatore.

For petitioner : Mr.T.Navilan Sidharth

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



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CrI.OP.No.2526 of 2025

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 5, 7(3) of Lotteries (Regulation) Act, 1998, in Crime No.322 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, on 24.12.2024, based on secret information, the respondent police went to the spot and found the Accused A1 was involved in selling banned lottery tickets and arrested him. Based on the confession of A1, the petitioner/ A2 has been arrayed as an accused. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner is a law abiding citizen and ready to abide by any stringent condition that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.



Crl.OP.No.2526 of 2025

WEB COPY

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of anticipatory bail to the petitioner, submitted that the petitioner has been allegedly involved in selling banned lottery tickets. He would further submit that no previous case of a similar nature is pending against the petitioner.

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

6. Considering the nature of allegation; there is no previous case pending against the petitioner; and that custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the



event of arrest or on her appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the learned Judicial Magistrate No.5, Coimbatore, 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



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CrI.OP.No.2526 of 2025

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*** reported in [(2005)AIR SCW 5560];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

03.02.2025

Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No
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To

1. The Inspector of Police,
Big Bazaar Police Station,
Coimbatore,
2. The Public Prosecutor,

Page No.5 of 7



Madras High Court,
Chennai.

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3. Learned Judicial Magistrate No.5,
Coimbatore.



Crl.OP.No.2526 of 2025

SUNDER MOHAN, J.

skr

Crl.OP.No.2526 of 2025



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CrI.OP.No.2526 of 2025

03.02.2025