



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 5984 of 2025

1. Pattabi

S/o. Rajagopal, No.14/10,
Subramaiyam Street, Salavapettai,
Vellore, Vellore District.

Petitioner(s)

Vs

1. State rep by The Inspector of Police
Vellore North (LAND 0) Police Station,
Vellore, Vellore District. (Crime No.03
of 2025)

Respondent(s)

PRAYER

To enlarge the petitioner on bail in the event of his arrest in Crime no. 03 of 2025 on the ifle of the Inspector of Police , Vellore North (L AND O) police station, Vellore Vellore district and thus render justice

For Petitioner(s): Mr.Vinodh Kumar

For Respondent(s): Public Prosecutor



ORDER

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The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 5 and 7(3) of Lotteries Regulation Act 1998 and Section 318(4) of BNS in Crime No.03 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant purchased a lottery chit for Rs.100/- from the petitioner, which is banned by the Tamil Nadu State Government and he did not get any prize money. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the allegations are false; that the co-accused was arrested and released on bail in CrI.M.P.NO.460 of 2025 on 22.01.2025; and that in any case, the custodial interrogation of the petitioner is not required; and hence prayed for grant of anticipatory bail to the petitioner.



4. Learned Government Advocate (Crl. Side) appearing for the respondent Police reiterated the prosecution case and on instructions submitted that the co-accused was arrested and released on bail; and that the petitioner has no bad antecedents.

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

6. Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsel on either side, the fact that the co-accused was arrested and released on bail and since, custodial interrogation 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 his appearance, within a period of fifteen days from the



date on which the order copy made ready, before the learned Judicial Magistrate

No.IV, 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

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 daily at 10.30 a.m., until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner released on



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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.

24-04-2025

Jai

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
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1.State rep by The Inspector of Police
Vellore North (LAND 0) Police Station,
Vellore, Vellore District. (Crime No.03
of 2025).

2. The Judicial Magistrate No.IV,
Vellore.
3. The Public Prosecutor,
Madrash High Court.



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SUNDER MOHAN J.

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