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Crl.O.P.No.4561 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 4561 of 2025

Ravi @ Jeevanandam ...Petitioner/Accused

Vs.

The State Rep. by
The Inspector of Police,
Kondalampatty Police Station,
Salem District.
(Crime No.37 of 2025)

...Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioner on bail in the event of his arrest in Crime No.37 of 2025 on the file of the respondent police.

For Petitioner : Mr.Camyles Gandhi.W

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

ORDER

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 7(1) and 7(3) of Lotteries (Regulation) Act, 1998 r/w Section 112 and 318(4) of BNS in



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Crime No. 37 of 2025, on the file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that, on 02.02.2025 at about 11.00 hours, the respondent police on their regular patrol duty found that petitioner and A1 were in possession of 10 numbers of banned lotteries and seized the same. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, he has not committed any offence as alleged by the prosecution, and he has been falsely implicated in this case on the confession of A1 and that no lottery tickets was seized from this petitioner. He further submitted that the petitioner is a law-abiding citizen and shall abide by any conditions that may be imposed by this Court, and therefore, he prayed to grant anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that petitioner and other accused were illegally selling banned Lotterry tickets to the general public. Learned counsel



further submitted that no previous case is pending as against the petitioner and that A1 is still in custody. However, he vehemently opposed the grant of anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the nature of offence and also considering that no previous case pending against petitioner and no lottery tickets were seized from the petitioner, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following 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 (15) days from the date on which the order copy was made ready, before the learned **Judicial Magistrate No.V, Salem**, 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 learned Magistrate concerned, and on further conditions 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



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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;

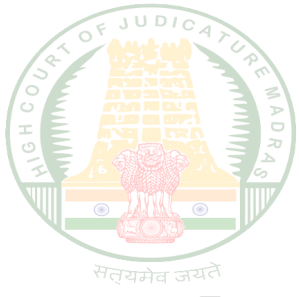
[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the 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.

20.02.2025

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SUNDER MOHAN, J.

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To

1.The Inspector of Police,
Kondalampatty Police Station,
Salem District.

2. The Public Prosecutor,
Madras High Court,
Chennai.

3.The Judicial Magistrate No.V,
Salem

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20.02.2025