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CRL OP No. 7271 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 7271 of 2025

1. AJEES

S/o.Saleem, No.2, K.K.Nagar Main
Road, Thorapadi, Vellore, Vellore
District - 632002.

Petitioner(s)

Vs

1. The Sub-inspector Of Police
Vellore South Police Station, Vellore
District. Crime No.434 Of 2024

Respondent(s)

PRAYER

To enlarge the petitioner on Anticipatory Bail in the event of arrest by the respondent police in Crime No.434 of 2024 on the file of respondent police and pass such other suitable orders as this Honble Court may deem fit and proper under the circumstances of this case and thus render justice.

For Petitioner(s): Mr.M. R.Thangavel

For Respondent(s): Public Prosecutor



ORDER

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This is the second anticipatory bail application filed by the petitioner before this Court.

2. Though the earlier anticipatory bail petition of the petitioner was dismissed by my learned predecessor Hon'ble Mr.Justice A.D.Jagadish Chandira, this petition is listed before this Court pursuant to the orders passed by the Hon'ble Division Bench of this Court in Crl.O.P.No.31787 of 2024 on 04.03.2025.

3. 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 and Section 318(4) of BNS, 2023 (Corresponding Section 420 of IPC) in Crime No.434 of 2024, on the file of the respondent police, seeks anticipatory bail.

4. The case of the prosecution is that the petitioner was found selling banned lottery tickets illegally. Hence, the complaint.



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5.The learned counsel appearing for the petitioner would submit that the petitioner is innocent; that he has been falsely implicated in this case; that though he has previous cases, they were registered between 2019 and 2023; that thereafter, he was not involved in any case; and that custodial interrogation of the petitioner is not required at this stage and therefore, he prays for the grant of anticipatory bail.

6.The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and on instructions submitted that the petitioner initially had 27 previous cases, out of which, 16 cases were disposed of; and that the investigation is almost completed.

7. This is the second anticipatory bail petition. Though the earlier anticipatory bail was dismissed on 22.01.2025 in Crl.O.P.No.247 of 2025 considering the bad antecedents of the petitioner, he has not been arrested so far. It is now reported by the learned Government Advocate (Crl.Side) that the contraband has been seized and the investigation is almost completed. Further 16 of the previous cases have been disposed of. Considering the aforesaid facts



and the change in circumstances, this Court is of the view that custodial interrogation of the petitioner at this stage is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. 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-I, Vellore** on condition that the petitioner shall execute a separate 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, and on proof of payment of deposits, 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.



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[b] the petitioner shall report before the respondent police everyday 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 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.

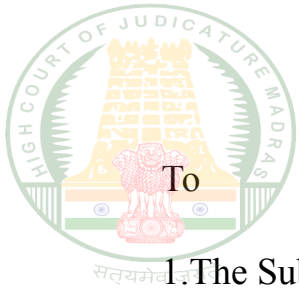
24-04-2025

Jai

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No



To

1. The Sub-inspector Of Police
Vellore South Police Station, Vellore
District. Crime No.434 Of 2024.

2. The Judicial Magistrate-I,
Vellore.
3. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN J.

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