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CRL OP No. 7884 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-03-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 7884 of 2025

Loganathan @ Logu
S/o. Perumal, No.1/81, Mariyamman
Kovil, Murungapatti, Salem District.

Petitioner(s)

Vs

The State rep. by, The Inspector of
Police,
STEEL PLANT Police Station, Salem
District. Crime No. 16 of 2025.

Respondent(s)

CRL OP No. 7884 of 2025

PRAYER

To enlarge the Petitioner on bail in the event of his arrest in Crime No.16 of 2025 on the file of the respondent and thus render justice.

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For Petitioner(s): Mr. Camyles Gandhi W

For Respondent(s): Mr. S. Santhosh, Govt. Advocate

**ORDER**

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The petitioner/A3, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 7(1), 7(3) of Lotteries (Regulation) Act, 1998 r/w Section 112, 318(4), 336(2) BNS in Crime No. 16 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, while the respondent police were conducting inspection near Periyandichi Kovil at Pethanur Kalarkadu, they found that the accused person/A1 was found in possession of banned lottery tickets; that during investigation, he confessed that the petitioner/A3 had supplied the said lottery tickets for the purpose of selling. Hence, the case.

3. Learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case, based on the confession of the co-accused; and that in any case, custodial interrogation is not required and sought for anticipatory bail for the petitioner.

4. 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 has 4 previous cases.

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5. Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, the fact that the petitioner was implicated only on the confession of the co-accused, the petitioner is on bail in all the other cases 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.

6. 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.I, Salem**, on condition that the petitioner shall execute 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:

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[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 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.

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To
1. The State rep. by,
The Inspector of Police,
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SUNDER MOHAN, J.

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