



CrI.O.P.No. 7876 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CrI.O.P.No.7876 of 2025 and
CrI.M.P.No.5093 of 2025

- 1.Prabhakaran
- 2.Mani @ Lakshmanan
- 3.Parimalam
- 4.Subramaniam
- 5.Sambathkumar
- 6.Manikandan
- 7.Palanisamy
- 8.Subramaniam
- 9.Srinivasan
- 10.Senthilkumar
- 11.Nagamanickam
- 12.Uthayakumar
- 13.Sureshkumar
- 14.Senthilvel
- 15.Ramakrishnan
- 16.Mailsamy
- 17.Sekar
- 18.Rudramoorthy

... Petitioners

Vs.

1.State rep. By
The Inspector of Police
Mahalingapuram Police Station
Coimbatore District.
(Crime No.6 of 2025).



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..Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records of FIR in Crime No.6 of 2025 dated 12.01.2025 on the file of the first respondent herein and quash the same so far as petitioners are concerned.

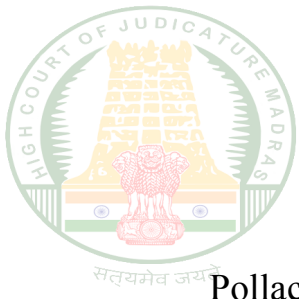
For Petitioners : Mr.N.Ponraj

For R1 : Mr.A.Gopinath,
Government Advocate (crl.side)

ORDER

This Criminal Original Petition has been filed challenging the First Information Report registered in Crime No. 6 of 2025 on the file of the first respondent police, for the offence under Section 12 of the Tamil Nadu Gaming and Police Laws Act, 1930 (as amended in 2021).

2. The case of the prosecution is that the petitioners are members of the Pollachi Presidency Club, situated at Rathina Sabapathipuram in



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Pollachi. On 12.01.2025, the second respondent, along with his team, was on patrol when they received information regarding gambling activities being conducted for money at the Presidency Club. On conducting an investigation and subsequent search, the police discovered that 21 persons were involved in playing “Vettatam” and five sets of 52 playing cards were found. That apart, a sum of Rs. 7,000/- was seized from the club members.

3. The learned counsel for the petitioners would submit that in order to attract an offence under Section 12 of the Tamil Nadu Gaming and Police Laws Act, 1930 (Amendment 2021), the gambling must occur in a public place or on a public street. In the present case, the alleged gambling took place in the Pollachi Presidency Club, which is a private place, used exclusively by the club members. Hence, the petitioners argue that the offence under the aforementioned provision cannot be sustained in a private club setting. That apart, the petitioners rely on a settled legal precedent, citing the order passed by this Court in CrI.O.P(MD).No. 21065 of 2018 and etc., batch case, by which a similar



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issue was resolved, and the legal position was settled by an order dated 29.11.2019.

4. Heard both sides and perused the material placed on record.

5. On perusal of the material on record and after considering the submissions made by the learned counsel for the petitioners, it is clear that the alleged gambling activity took place within a private club and not in a public place, as required under Section 12 of the Tamil Nadu Gaming and Police Laws Act, 1930 (Amendment 2021). That apart, in view of the settled position of law, as affirmed by this Court in CrI.O.P.No. 21065 of 2018, the present case falls within the same legal framework and the offence under the Tamil Nadu Gaming and Police Laws Act cannot be sustained against the petitioners.

6. In light of the above, the FIR in Crime No. 6 of 2025, on the file of the first respondent police, is hereby quashed as against the petitioners.



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7. Accordingly, this Criminal Original Petition stands allowed.

Consequently, connected miscellaneous petition is closed.

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Neutral citation : Yes/No
Speaking/non-speaking order
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G.K.ILANTHIRAIYAN, J.

shk

To

- 1.The Inspector of Police
Mahalingapuram Police Station
Coimbatore District.
2. The Public Prosecutor,
High Court, Madras.

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