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Crl.OP.No.7543 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.7543 of 2025

1.Prakash

2.Kumaran @ Senthil

3.Dhamu @ Dhamodharan

.. Petitioners

Vs.

The State rep by
The Inspector of Police,
C1 Uthukottai Police Station,
Chennai.
(Crime No.19 of 2025)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the
event of their arrest in Crime No.19 of 2025 on the file of the respondent
Police.

For Petitioners : M/s.Basker Dhanakaran

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



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ORDER

The petitioners, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 12 of Tamilnadu Gambling Act and Section 132 of BNS in Crime No.19 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that, the petitioners and the other accused were playing rummy and gambling.

3. The learned counsel appearing for the petitioners submitted that the allegations are false and the petitioners are sought to be implicated only on the confession of co-accused, and that in any case, custodial interrogation is not required and sought for anticipatory bail to the petitioners.

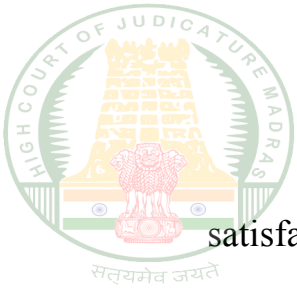
4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the



petitioner, reiterated the prosecution case and on instructions submitted that the petitioners are sought to be implicated on the confession of co-accused; that the petitioners have no bad antecedents.

5. Considering the nature of allegations, the gambling cards were seized from the co-accused, the petitioners are sought to be implicated on the confession of co-accused, the petitioners have no bad antecedents and since, custodial interrogation of the petitioners is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy is made ready, before the **District Munsif cum Judicial Magistrate, Uthukottai**, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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 petitioners 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 petitioners shall report before the respondent police daily at 10.30 a.m., until further orders.

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

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 BNS.

19.03.2025

Index : Yes / No
Internet : Yes / No
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To

1.The Inspector of Police,
C1 Uthukottai Police Station,
Chennai.

2.The District Munsif cum Judicial Magistrate,
Uthukottai

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



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SUNDER MOHAN , J.

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