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Crl. O.P. No.9565 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl. O.P. No.9565 of 2025

Mohan @ Mohanasundaram S/o. Vadivel

... Petitioner/Accused

Vs.

The State represented by-

The Inspector of Police,
Kondalampatti Police Station,
Salem.
(Crime No.78 of 2025).

... Respondent

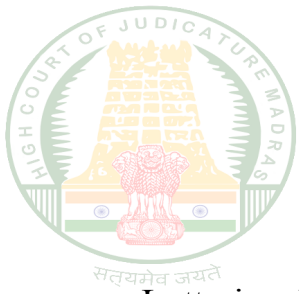
PRAYER: The Criminal Original Petition is filed under Section 482 of B.N.S.S.,
praying to grant anticipatory bail to the petitioner / Accused in Cr. No.78 of 2025
on the file of the respondent police.

For Petitioner : Mr.M. Vengadesan

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 offence punishable under Sections 7(1) and 7(3) of



Crl. O.P. No.9565 of 2025

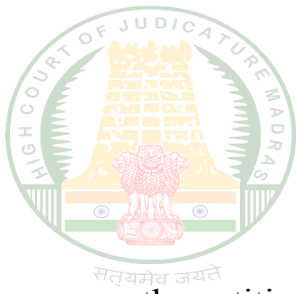
Lotteries Regulation Act read with Sections 112 and 318(4) of B.N.S. in connection with the case in Cr. No.78 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the accused were found selling Tamil Nadu Government banned other State Lottery tickets.

3. Learned counsel appearing for the petitioner submitted that the allegations against the petitioner are false; and that since the contraband has been seized, custodial interrogation of the petitioner is not required and hence prayed for grant of anticipatory bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of anticipatory bail to the petitioner, reiterated the prosecution case and on instructions submitted that the petitioner has no bad antecedents.

5. Considering the nature of allegations, contraband has been seized, the petitioner has no bad antecedents and since custodial interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to



Crl. O.P. No.9565 of 2025

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 of receipt of a copy of this order, before the learned **Judicial Magistrate No.I, 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 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 conditions that:

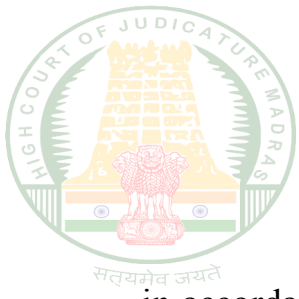
[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[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



Crl. O.P. No.9565 of 2025

WEB COPY

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]; and

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.

01.04.2025

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To

1. The Judicial Magistrate No.I, Salem.
2. The Public Prosecutor, High Court of Madras.
3. The Inspector of Police, Kondalampatti Police Station, Salem.



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Crl. O.P. No.9565 of 2025

SUNDER MOHAN., J.

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Crl. O.P. No.9565 of 2025

01.04.2025