



Crl.OP.No.9180 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 27.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.9180 of 2025

Kumaravel

.. Petitioner

Vs.

The State rep by
The Sub Inspector of Police,
Chidambaram Taluk Police Station
Cuddalore District.
(Crime No.273 of 2024)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event
of arrest in Crime No.273 of 2024 on the file of the respondent Police.

For Petitioner : M/s.G.Pugazhenth

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent
police for the offences punishable under Section 296(b), 308(2), 351(3),
318(4) of BNS and Sections 5 and 7(3) of Lotteries Regulation Act in Crime
No.273 of 2024, seeks anticipatory bail.



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2. The case of the prosecution is that the first accused threatened the defacto complainant to buy banned lottery tickets, and that the first accused snatched a sum of Rs.200/- from the defacto complainant at knife point and gave him 3 nos. of banned lottery tickets; that the petitioner is sought to be implicated on the confession the first accused.

3. The learned counsel appearing for the petitioner submitted that the allegations are false; that the petitioner is 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 petitioner.

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 petitioner is sought to be implicated on the confession of co-accused; that there were 7 previous cases registered against the petitioner in the years 2018 and 2019 and those cases were disposed of.

5. Considering the nature of allegations, the petitioner is sought to



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be implicated on the confession of co-accused and the previous cases were registered in the year 2018 & 2019 and disposed of and since, the custodial interrogation of the petitioner 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 is made ready, before the **learned Judicial Magistrate-II, Chidambaram**, on condition that the petitioner 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 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 daily at **10.30 a.m., until further orders.**



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[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]**;

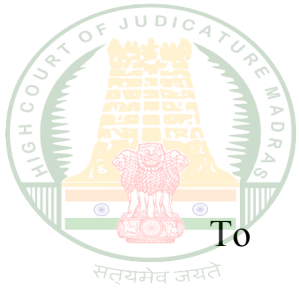
[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

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Index : Yes / No

Internet : Yes / No

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To

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- 1.The Sub Inspector of Police,
Chidambaram Taluk Police Station
Cuddalore District.
- 2.The learned Judicial Magistrate-II, Chidambaram.
- 3.The Public Prosecutor,
Madras High Court,
Chennai.

SUNDER MOHAN , J.
dpa



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