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Crl.O.P.No.10311 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.04.2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO.10311 of 2025

Uma,
D/o. Velu.

Petitioner(s)

Vs

The State Rep.by,
The Inspector of Police,
Annadanapattty Police Station,
Salem District. (Crime No.85 of 2025)

Respondent(s)

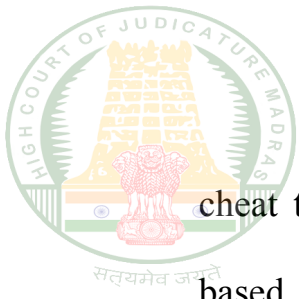
For Petitioner(s): Mr.C. R. Gokulvisvas

For Respondent(s): 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 Sections 112 and 318(4) of the Bharatiya Nyaya Sanhita, (BNS), 2023 in Crime No.85 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, the petitioner was found in possession of banned lottery tickets to sell illegally with an intention to



cheat the public. The petitioner/A2 is a daughter of the accused/A1, and based on the confession statement of the petitioner was arrayed as the accused/A2. Hence, this case.

3. Learned counsel appearing for the petitioner would submit that the petitioner is innocent and she has been falsely implicated in this case, based on the confession of the co-accused; that the petitioner had never committed any offence as alleged by the prosecution; and that the petitioner is ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertake to appear and to co-operate for the investigation, and prayed for anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for the grant of anticipatory bail to the petitioner, stating that the petitioner along with other accused was involved in illegal sale of banned lottery tickets, and that based on the confession statement of the first accused, the petitioner was implicated as the second accused and has no previous cases pending against her. The banned lottery



tickets were also seized from the first accused and that the investigation is pending.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record.

6. Taking note of the facts and circumstances of the case, considering the nature of allegation against the petitioner, submissions made by the learned counsels on either side, the fact that the petitioner has no previous cases and based on the confession statement of the first accused, the petitioner is arrayed as A2, and since, custodial interrogation is not required, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner 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 made ready, before **the learned Judicial Magistrate No.IV, Salem**, on condition that the petitioner shall



execute a separate 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:

[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 the investigation or during the trial.

[d] the petitioner shall not abscond either during the investigation or during the 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



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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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

07.04.2025

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To

- 1.The Judicial Magistrate No.IV, Salem.
- 2.The Inspector of Police,
Annadanapattty Police Station,
Salem District. (Crime No.85 of 2025)
- 3.The Public Prosecutor, High Court of Madras.



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SUNDER MOHAN, J.

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