



Crl.O.P.No.16481 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2025

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.16481 of 2025

Ezhilmaran

... Petitioner

Vs.

State rep. by
The Inspector of Police
Nallur Police Station
Tiruppur District.
(Cr.No.312/2025)

... 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 his arrest by the respondent police in Crime No.312 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.M.N.Balakrishnan

For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest for the alleged offences under Sections 318(4), 3(5), 61(2) of BNS 2023 (420, 34, 120B of IPC) and 66(D) of Information Technology Act, 2000 and 4(1)(a) (VI) of the Tamil Nadu Gaming



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and Police Laws Act 1930 (Amendment 2021), in Crime No.312 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 30.05.2025, the respondent based on a secret information patrolled KNS Nagar park and found that the accused was standing in an suspicious manner, on verifying his mobile, it came to light that the accused had cheated the public by creating an app namely Lotus and invited the public to play online betting matches like cricket, foot ball etc. It is further alleged that initially, the accused made the players to win match and used to deposit small amount in their account to gain confidence and subsequently, he received upto Rs.10,00,000/-. Hence the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. The learned counsel further submits that only based on the confession of the co-accused, he has been falsely implicated in this case. However, on instructions, the learned counsel further submits that without prejudice to his defence, the petitioner is ready and willing to deposit some amount that may be imposed by this Court and hence, he prays to grant anticipatory bail to the petitioner.



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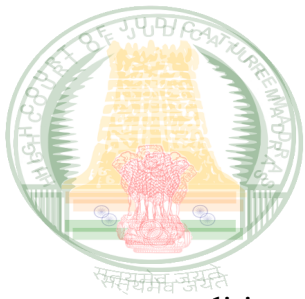
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4.The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the co-accused were already arrested and released on bail. However, he opposed for grant of anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side and that the co-accused were released on bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order, before the ***learned Judicial Magistrate No.IV, Tiruppur***, 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 and on further



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condition that:

[a] 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 deposit a sum of Rs.5,00,000/- (Rupees five lakhs only) to the credit of Crime No.312 of 2025, before the concerned Magistrate, within a period of two weeks.

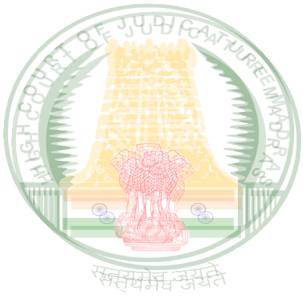
[c] the petitioner shall report before the respondent police everyday at 10.30 a.m for a period of two weeks and thereafter, as and when required for interrogation;

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

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[f] 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];***

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



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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The Judicial Magistrate No.IV, Tiruppur.
2. The Inspector of Police
Nallur Police Station
Tiruppur District.
3. The Public Prosecutor,
High Court of Madras.

G.K.ILANTHIRAIYAN, J.

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