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Crl.OP.No. 20353 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-09-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO. 20353 of 2025

Shajahan

Petitioner

Vs

The State rep. by

The Inspector of Police

C-1, Katoor Police Station

Coimbatore, Crime No. 340 of 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 in Crime No. 340 of 2025 on the file of respondent police.

For Petitioner : Mr.R.Ganesh Babu

For Respondent : Mr.S.Udayakumar

Government Advocate (Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 5, 7(3) of the Lotteries Registration Act, 1998 and under section 318(4) of the BNS 2023 in Crime No.340 of 2025 on the file of the respondent Police, seeks anticipatory bail.



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2.The allegation of the petitioner/A4 is that the petitioner along with others sold the Kerala lottery tickets. When the respondent police was on patrol duty, A1 was arrested by the respondent police on 13.06.2025 in Crime No. 260 of 2025. Hence the case.

3.The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case based on the confession statement of the first accused. He submits that he has not committed any offence as alleged by the prosecution. He further submits that A1 had already arrested and release on bail 20.06.2025. He also submits that the petitioner is ready to abide by any condition that may be imposed by this Court and ready to furnish sufficient solvent sureties for his release. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submits that the petitioner filed Crl.M.P.No. 2728 of 2025 seeking to anticipatory bail before the Principal District and Sessions Judge, Coimbatore, and the same was dismissed by order dated 08.07.2025. He further submits that there is no



previous case pending against the petitioner. However, he opposed for grant of anticipatory bail to the petitioner.

5. Heard the learned counsels and perused the materials available on record.

6. Considering the aforesaid facts and circumstances of the case, submissions made by the learned counsels on either side and considering the fact that the petitioner has been falsely implicated in this case based on the confession statement of co-accused and no previous case pending against the petitioner herein, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. 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 made ready, before the learned **Judicial Magistrate No.II, Coimbatore**, on condition that the petitioner shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand Only)** with **two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:-



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(a) If the petitioner fails to surrender before the concerned Magistrate, within a period of fifteen days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[c] the petitioner shall report before the respondent Police daily at 10.30 a.m for a period of one week and thereafter, as and when required for interrogation;

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;



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

25.09.2025

MSM
To

- 1.The Judicial Magistrate No.II, Coimbatore.
- 2.The Inspector of Police
C-1, Katoor Police Station
Coimbatore, Crime No. 340 of 2025.
3. The Public Prosecutor, High Court of Madras.



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K.RAJASEKAR, J.

MSM

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