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Crl.O.P.No.26575 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **06-10-2025**

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.26575 of 2025

1. Kirubakaran
2. Murugan

... Petitioners/ A3 & A4

Vs

The State rep. by,
The Station House Officer,
Chidambaram Town Police Station,
Cuddalore District.
(Crime No.257 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioners/accused in
Crime No.257 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr. R. Thamarai Selvan

For Respondent(s) : Mr. A. Gopinath
Government Advocate (Crl. Side)



ORDER

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The petitioners, who were arrested and remanded to judicial custody on 03.09.2025 for the offences punishable under Sections 336, 318(4), 112(1) of BNS r/w Sections 5 and 7(3) of Lotteries Regulation Act, 1998 in Crime No.257 of 2025, registered on the file respondent police, seek bail.

2. The case of the prosecution is that, based on a secret information the police party went to Annamkulam area, within the limits of the respondent police and found that the petitioners along with other accused were involved in illegal selling of banned lottery tickets and in possession of lottery bill book containing three digit lottery numbers, which are prohibited by the Government of Tamil Nadu. Hence, this case.

3. The learned counsel appearing for the petitioners submitted that the petitioners were falsely implicated in this case and the petitioners were in custody since 03.09.2025 and the petitioners are ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioners.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioners reiterated the prosecution case and stated that totally there are four accused and the petitioners herein are arrayed as A3 and A4 respectively; that the petitioners have previous cases of similar nature; and that the investigation is pending.

5. Considering the facts and circumstances of the case and the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties each**, for a like sum to the satisfaction of the **learned Judicial Magistrate No.II, Chidambaram** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial



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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;

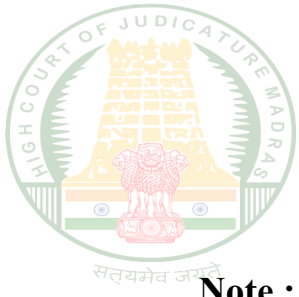
[b] the petitioners shall report before the respondent police daily at 10:30 a.m., until further orders;

[c] 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]**;

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

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Note :

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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.II,
Chidambaram.
2. The Station House Officer,
Chidambaram Town Police Station,
Cuddalore District.
(Crime No.257 of 2025)
3. The Superintendent,
Central Prison, Cuddalore.
4. The Public Prosecutor,
High Court of Madras.



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K. RAJASEKAR, J.

stn

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