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Crl.O.P.No.26863 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.26863 of 2025

1.Azhagesan

2.Ravi

3.Sabiraj

... Petitioners

Vs.

State represented by its
The Station House Officer,
Chidambaram Town Police Station,
Cuddalore District.
(Crime No.265 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners/Accused on bail in
Crime No.265 of 2025 pending on the file of the respondent Police.

For Petitioners : Mr.R.Thamarai Selvan

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

ORDER

The petitioners/A1, A3 and A4 were arrested and remanded to
judicial custody on 06.09.2025, for the offence punishable under Sections 5
and 7(3) of Lotteries Regulation Act, 1998, in Crime No.265 of 2025,



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registered on the file of the respondent, seeks bail.
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2. The case of the prosecution is that the petitioners were selling illegal banned lottery tickets. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and have been falsely implicated in this case, and that they have been in custody since 06.09.2025. Hence, he prayed for the grant of bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police opposed the grant of bail, reiterating the prosecution case, and submitted that the Trial Court had dismissed the bail petition filed by the petitioners in Crl.M.P.No.6188 of 2025 dated 22.09.2025. He further submitted that A1 has twenty previous cases, A3 has six previous cases and A4 has four previous case.

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

6. Considering the overt act against the petitioners and the period of



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incarceration, this Court is inclined to grant bail to the petitioners with certain conditions:

7. Accordingly, the petitioners are ordered to be released on bail on their executing 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 **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 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 for a period of three weeks, and thereafter as and when required for interrogation;

[c] the petitioners shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioners shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioners to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen



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days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners 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]**;

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

cda

06.10.2025

Note :

1. Registry is directed to forthwith upload this order in the Official Website of this



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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.
- 3.The Central Prison, Cuddalore.
- 4.The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

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