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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.11.2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP Nos. 30116 & 30117 of 2025

1.Rathinam @ Nagarathinam

..Petitioner/A3 in CrI.O.P.No.30116/2025

2.Ramesh @ Rameshkumar

..Petitioner/A2 in CrI.O.P.No.30117/2025

Vs

The State rep. by

The Sub Inspector of Police

Arakandanallur Police Station

Villupuram District

(Crime No. 372 of 2025)

Respondent

COMMON PRAYER : Criminal Original Petitions filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of his arrest pending investigation in Cr.No. 372 of 2025 on the file of the respondent police.

For Petitioners : Mr.K.Prabakar

For Respondent : Mr.S.Udayakumar

Government Advocate (Criminal Side)

COMMON ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 5 and 7(1) of Lotteries



Regulation Act, 1998 in Crime No. 372 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The allegation of the petitioners is that the petitioners joining with other accused were found in possession of 112 Nos. of other state lotteries banned in Tamil Nadu and A1 was arrested by the respondent police. Hence, the complaint.

3. The learned counsel for the petitioners submits that the petitioners are innocent persons and they have been falsely implicated in this case. He submits that they have not committed any offence as alleged by the prosecution. He also submits that the petitioners are ready to abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for their release. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submits that there are



totally three accused had involved in this case. He further submits that the petitioners are ranked as A2 & A3 and they have no previous case. He further submits that A1 was already arrested in this case. However, he opposed to grant anticipatory bail to the petitioners.

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

6. Considering the fact that the majority of the allegations are leveled against A1 and he was already arrested, the petitioners herein have no previous case and investigation almost completed, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners 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 **District Munsif-Cum-Judicial Magistrate, Thiruvannainallur, Villupuram District**, on condition that the petitioners shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen**



Thousand Only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) If the petitioners fail 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 petitioners shall report before the respondent Police daily at 10.30 a.m for a period of two weeks 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



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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]**;

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

05.11.2025

MSM

To

1.The District Munsif Cum Judicial Magistrate,
Thiruvennainallur, Villupuram District.

2.The Inspector of Police
Kovilpalayam Police Station,
Coimbatore District.

(Crime No.281 of 2025)

3. The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

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