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Crl.O.P.Nos.32178, 32182 and 32185 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **25-11-2025**

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NOS.32178, 32182 and 32185 of 2025

1. Chittibabu
2. Saravanan ... Petitioners in Crl.O.P.No.32178 of 2025/ A1 & A4

Velmurugan ... Petitioner in Crl.O.P.No.32182 of 2025/ A2

Bala Kumar @ Balaji ... Petitioner in Crl.O.P.No.32185 of 2025/ A3

Vs

The State rep. by,
The Inspector of Police,
Bagayam Police Station,
Vellore District.
(Crime No.314 of 2025)

... Respondent

COMMON PRAYER : Criminal Original Petitions filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioners/accused in Crime No.314 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr. S. Thirugnanam

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



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ORDER

The petitioners, who were arrested and remanded to judicial custody on 02.11.2025 for the offences punishable under Sections 5, 7(3) of the Lottery Act and Section 318(4) of BNS in Crime No.314 of 2025, registered on the file of the respondent police, seek bail.

2. The case of the prosecution is that based on a secret information, the respondent police went to the spot and intercepted the petitioners herein and found that they were in illegal possession of various banned lottery tickets. Hence, this case.

3. The learned counsel appearing for the petitioners submitted that the petitioners herein came to Vellore for the purpose of treatment and they have been falsely implicated in this case and arrested; that the petitioners are in judicial custody since 02.11.2025; and that the petitioners are ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioners.

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 there are totally 6 accused involved in this case and the petitioners herein are arrayed as A1 to A4; that the petitioner/ Chittibabu has one previous case, the petitioner/ Velmurugan has four previous cases of similar nature; that the petitioners/ Bala Kumar @ Balaji and Saravanan has no previous cases; and that the investigation of this case is pending.

5. Considering the submissions made on both sides, the fact that the petitioner/ Velmurugan in Crl.O.P.No.32182 of 2025 has previous antecedents of similar nature, **this Court is not inclined to grant bail to the petitioner/ Velmurugan at present. Accordingly, the criminal original petition in Crl.O.P.No.32182 of 2025 is hereby dismissed.**

6. Considering the facts and circumstances of the case, the nature of allegation leveled against the petitioners in Crl.O.P.Nos.32178 and 32185 of 2025 and taking note of the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners in Crl.O.P.Nos.32178 and 32185 of 2025 with certain conditions.

7. Accordingly, the petitioners in Crl.O.P.Nos.32178 and 32185 of



2025 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.I, Vellore,**

Vellore District 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 in Crl.O.P.Nos.32178 and 32185 of 2025 shall report before the respondent police daily at 10:30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;**

[c] 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]**;



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[d] If the accused thereafter abscond, 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.I,
Vellore, Vellore District.
2. The Inspector of Police,
Bagayam Police Station,
Vellore District.
(Crime No.314 of 2025)
3. The Superintendent,
Central Prison, Vellore.
4. The Public Prosecutor,
High Court of Madras.



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K. RAJASEKAR, J.

stn

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