



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-12-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 33784 of 2025

1. Kubendran

Petitioner(s)

Vs

1. State rep.by, Inspector of Police,
Ammamet police station, Salem city.
Cr.No.558 of 2025.

Respondent(s)

PRAYER Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of
arrest in the Cr.No.558 of 2025 on the file of the respondent police.

For Petitioner(s): M/s.P.Aathi

For Respondent(s): Mr.J.R.Archana
Government Advocate (Crl. Side)

ORDER

The petitioner, who apprehend arrest at the hands of the respondent police
for the alleged offences punishable under Sections 7(3) of Lotteries Regulations
Act 1998, in Crime No.558 of 2025, seeks anticipatory bail.



2. The allegation against the petitioner is that the petitioner was found in selling of banned lottery tickets. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any such offence as alleged by the defacto complainant and he has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police, submitted that the petitioner illegally sold the banned lottery tickets and thereby cheated the public. He further submitted that though the petitioner's name was not found in the FIR the statement recorded from the arrested accused shows that from him the petitioner collected money and also the petitioner has previous antecedents of similar in nature. Hence, he opposed to grant anticipatory bail to the petitioner.

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



6. Considering the facts and circumstances of the case, and there is no direct involvement of the petitioner in this case and based on the confession of the arrested accused this petitioner has been included in the case, I am inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of ten days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.5, Salem**, 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:

[a] if the petitioner fails to surrender before the concerned Magistrate within a period of ten 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 three weeks and



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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]**;

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

10-12-2025

gbi

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



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- To
- 1.State rep.by, Inspector of Police,
Ammamet police station, Salem city.
Cr.No.558 of 2025.
 - 2.The Judicial Magistrate, No.5, Salem
 - 3.The Public Prosecutor,
High court of Madras.



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CRL OP No. 33784 of 2025



K.RAJASEKAR J.
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