



CRL.O.P.No.35708 of 2025
IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.12.2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP.No.35708 of 2025

Elangovan

... Petitioner

Vs.

The State represented by its,
The Inspector of Police,
Kannankurichi Police Station,
Salem District.
[Crime No.344 of 2025]

... Respondent

PRAYER: Criminal Original Petition filed under 482 of BNSS Act, 2023 to enlarge the petitioner on bail in the event of arrest by the respondent police in Crime No.344 of 2025 on the file of the respondent Police.

For Petitioner : Mr.Vasudevan Bramalingam

For Respondent : Mr.S.Udaya Kumar
Government Advocate (Crl.Side)

ORDER

The petitioner/ Accused No.2 apprehends arrest for the alleged offence punishable under Section 7(3) of Lotteries Regulation Act, 1998, in Crime No.344 of 2025 on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that on 18.11.2025, based on secret information received from the informant, the respondent police went to the spot and found that A1 involved in selling banned Kerala State Akshaya lottery tickets to the public and based on his confession, this petitioner has been included in this case. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged and he had been falsely implicated in this case. He further submitted that the petitioner is ready and willing to furnish substantial sureties for his due release and abide by any condition that may be imposed by this Court and therefore, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioner along with other accused were involved in selling the banned lottery tickets to the public and that there are 32 previous cases pending as against the petitioner and further, considering the gravity of offence, he opposed to grant anticipatory bail to the petitioner.



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5. Considering the representations made by both sides and considering the nature of offences charged against the petitioner and though so many previous cases are pending in all those cases, the petitioner was released on bail, and also taking into consideration of the fact that the petitioner was arrayed as accused only based on the confession statement given by the co-accused, this Court is inclined to grant **anticipatory bail** to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***Judicial Magistrate No.IV, Salem*** on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] **the petitioner shall report before the respondent police daily on at 10.30 a.m. for a period of thirty days;**

[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade then from disclosing such facts of the Court or to any police officer.



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[c] the petitioner shall not leave India without the previous permission of the Court.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall make herself available for interrogation by a police officer as and when required.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560]*.

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

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mac/ssn

Note:

1. Registry is directed to forthwith
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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.IV, Salem.
2. The Inspector of Police,
Kannankurichi Police Station,
Salem District.
- 3.The Public Prosecutor, High Court of Madras.



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P.DHANABAL,J,

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