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CrI.O.P.No.36027 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.12.2025

CORAM:

THE HON'BLE MR. JUSTICE P. DHANABAL

CrI.O.P.No.36027 of 2025

Ashokumar @ Ashok Kumar

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Attur Town Police Station,
Salem District.
(Crime No.493 of 2025)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioner on bail in the event of arrest in Crime No.493 of 2025, pending investigation on the file of the respondent police.

For Petitioner : Mr.A.Ramesh

For Respondents : Mr.S.Udaya Kumar
Government Advocate (Criminal Side)

ORDER

The petitioner/A2, who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 7(1), 7(3) of Lotteries Regulation Act, 1998 and Section 318(4) of BNS, in connection with Crime No.493 of 2025, seeks anticipatory bail.

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2. The case of the prosecution is that the accused were indulged in selling fake Lottery tickets to the public. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner has not committed any offence as alleged in the FIR and that the custodial interrogation is not required in this case. Hence, he prayed to grant anticipatory bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioner, along with another accused, was involved in selling fake Lottery tickets to the public, which was banned by the Government of Tamil Nadu. He further submitted that there is no previous case against the petitioner. However, he strongly opposed to grant anticipatory bail to the petitioner.

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



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6. Considering the rival submissions on either side; nature of offences; the fact that there is no previous case against the accused and custodial interrogation is not required in this case n, this Court is inclined to grant anticipatory bail to the petitioner subject to the following 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 fifteen days from the date on which the order copy made ready, before the Judicial Magistrate Court No.1, Attur, Salem District, 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 learned Magistrate concerned and on further conditions that:

[a] the petitioner shall report before the respondent police every Saturday at 10.30 a.m. for a period of four weeks and thereafter, as and when required for interrogation;

[b] the petitioner shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[c] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted



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with the facts of the case so as to dissuade her from disclosing such facts to the Court or to any police officer;

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

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[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 accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.2023.

30.12.2025

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Neutral Citation: Yes/No

Note:

1. Registry is directed to forthwith upload this order on the Official Website of this Court.
2. All concerned to act on this order being uploaded on 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.



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To

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1. The Judicial Magistrate No.1,
Attur, Salem District
2. The Inspector of Police,
Attur Town Police Station,
Salem District.
3. The Public Prosecutor,
High Court of Madras.



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P. DHANABAL, J.

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