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CRL OP No. 36025 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 36025 of 2025

M.Muthusamy

Petitioner

Vs

State Rep. by
The Sub-Inspector of Police,
Kannamangalam Police Station,
Tiruvannamalai District.
Crime No.471/2025

Respondent

PRAYER : Criminal Original Petition filed under Section 482 of B.N.S.S., to enlarge the petitioner on bail in the event of his arrest pending in Crime No.471 of 2025 on the file of Respondent Police.

For Petitioner: Mr.Venkatesan S L

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

ORDER

The petitioner/accused, who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 112, 318(1) of BNS, 2023, and Sections 5, 7(3) of Lotteries Regulation Act, 1998, in



connection with Crime No.471 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the accused persons are illegally selling lottery tickets. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case based on the confession of A1. Hence, he would pray to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent reiterated the prosecution case and opposed for the grant of anticipatory bail to the petitioner. Further, he would submit that there is one previous case pending against the petitioner.

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

6. Considering the nature of the offences and the fact that the petitioner has been implicated in this case based on the confession of co-accused, though the petitioner has one previous case, in that case, already bail being granted to him, I am inclined to grant anticipatory bail to the petitioner subject to the following conditions.



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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 learned **Judicial Magistrate, Arni, Tiruvannamalai 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 condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] 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.

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

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

[e] 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



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Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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

30-12-2025

Index: Yes/No

Internet: Yes/No

Speaking/Non-speaking order

sp

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

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- 1.The Judicial Magistrate,
Arni, Tiruvannamalai District.
- 2.The Inspector of Police,
Kannamangalam Police Station,
Tiruvannamalai District.
- 3.The Public Prosecutor,
High Court of Madras.



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P.DHANABAL J.

sp

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