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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 10.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD)Nos.48 and 467 of 2025

1.Maduraiveeran

... Petitioner/ Accused No.4  
(In Crl.OP.(MD)No.48 of 2025)

2.Thangamanikandan @ Mani

... Petitioner/ Accused Rank Not Known  
(In Crl.OP.(MD)No.467 of 2025)

Vs

The Inspector of Police,  
D.1 Tallakulam Police Station,(L&O)  
Madurai District.  
(Crime No.1398 of 2024)

... Respondent/Complainant  
(In both cases)

For Petitioner : Mr.M.Suresh,  
(In Crl.OP.(MD)No.48 of 2025)

For Petitioner : Mr.C.Susikumar,  
(In Crl.OP.(MD)No.467 of 2025)

For Respondent : Mr.B.Thanga Aravindh,  
Government Advocate  
(Criminal Side)  
(In both cases)



WEB-CONF PETITIONS FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

COMMON PRAYER :-

For Anticipatory Bail in Crime No. 1398 of 2024 on the file of the respondent police.

COMMON ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 112, 318(4) of BNS and Sections 5, 7(3) of Lotteries (Regulation) Act, 1998, in Crime No.1398 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the accused persons were involved in sale of lottery tickets through online mode. It came to light that the entire sale of lottery ticket was fraud, since it did not pertain to any State and it was created by the accused persons. There are totally six accused persons in this case and the petitioners were arrayed as A-4 and A-6.

3. Heard the learned counsel on either side and perused the material records of the case.



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4. Taking into consideration the facts and circumstances and considering the fact that A-1, A-2 and A-5 have been enlarged on bail and A-3 was granted anticipatory bail and also considering the fact that there is one previous case against A-4 and two previous cases against A-6, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate Court No.II, Madurai, on condition that the petitioners 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, failing which, these petitions for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners 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.



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[b] the petitioners shall report before the respondent Police on every Monday, Wednesday and Friday at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 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)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023. IPC.

sd/-  
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Sub-Assistant Registrar (CS-I/II/III/IV)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.



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TO

1. The Judicial Magistrate No.II, Madurai.

2.The Chief Judicial Magistrate, Madurai.

3.The Inspector of Police,  
D.1 Tallakulam Police Station,(L&O)  
Madurai District.

4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1 CC to M/s.M.SURESH, Advocate ( SR-410[I] dated 10/01/2025 )

ORDER  
IN

CRL OP(MD) No.48 and 467 of 2025

Date :10/01/2025

NBF / SKN / SAR- (03/02/2025) 5P / 6 C

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