



CRL OP(MD). No.6802 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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1. Vivek

2. Siva

... Petitioners/ Accused Nos.4 & 5

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Somarasampet Police Station,
Trichy District.
Crime No.72/2025..

... Respondent/Complainant

For Petitioner : Mr.S.Sathyachidambaram,
Advocate.

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.72/2025 on the file of the
respondent-Police.



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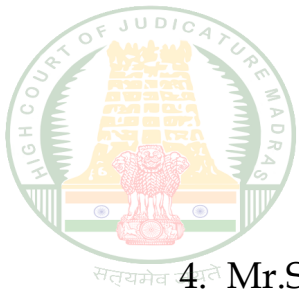
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ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioners on 08.04.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to grant an order of pre-arrest bail.

2. The petitioners apprehend arrest at the hands of the respondent-Police for the offences punishable under Sections 5 and 7(3) of Lotteries Regulation Act, in Crime No.72 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 03.03.2025 at about 14.45 hours, the Sub Inspector of Police along with the other Police officials were patrolling to prohibit the selling of other State lotteries near Somarasam pettai shop street, back side of AR complex, at that time, accused persons were selling lotteries tickets near Allithurai, Uyankontal channel. On seeing the Police, Accused persons tried to escape from the spot. The police apprehended Accused persons and recovered the alleged lottery tickets from him. Based on the confession of co-accused, the petitioners herein have been arrayed as Accused Nos.4 and 5. Hence, the case.



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4. Mr.S.Sathyachidambaram, learned counsel appearing for the petitioners, submits that the petitioners have nothing to do with the alleged offence. He further submits that the respondent-Police has falsely foisted a case against the petitioners. He however submits that the petitioners are ready to abide by any conditions to be imposed by this Court. Therefore, he prays for granting pre-arrest bail to the petitioners.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl. Side) appearing for the respondent-Police, submits that there are six previous cases pending against the first petitioner and five previous cases pending against the second petitioner. He further submits that if pre-arrest bail is granted to the petitioners, the petitioners will commit similar offences once again. He further submits that the investigation has not yet been completed till date. Hence, he opposes to grant pre-arrest bail to the petitioner.

6. Heard on both sides. This Court has perused the records.

7. Considering the bad antecedents of the petitioners and considering the fact that they are habitual offenders, this Court finds that, if pre-arrest bail is granted to



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the petitioners, they may cause a threat to the defacto complainant and commit the similar offences. Furthermore, considering the nature of the offence and considering the fact the custodial interrogation of the petitioners is necessary. Hence, the Court is not inclined to grant pre-arrest bail to the petitioners.

8. Accordingly, the Criminal Original Petition stands dismissed.

sd/-
15/04/2025

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/05/2025
Sub-Assistant Registrar (C.S.-I/ II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

vsg

TO

1.The Inspector of Police,
Somarasampet Police Station,
Trichy District.

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



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ORDER

IN

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Date :15/04/2025

VN/15.05.2025 5P/3C

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