



CRL OP(MD)No.10769 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 16/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD)No.10769 of 2025

Gopi @ Gopinath

...Petitioner/ Accused No.2

Vs.

The State of Tamil Nadu rep. by
The Inspector of Police,
Palakkarai Police Station,
Trichy District.
(Crime No.193 of 2025)

... Respondent/Complainant

For Petitioner : Mr.M.Suresh
Advocate

For Respondent : Mr.M.Karunanithi
Government Advocate(Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

<https://www.mhc.tn.gov.in/judis>



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For Anticipatory Bail in Crime No.193 of 2025 on the file of the Respondent Police.

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ORDER : The Court made the following order :-

The petitioner/Accused No.2, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 318(4) of BNS r/w 5 and 7(3) of the Lotteries Regulation Act, 1998, in Crime No. 193 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and other accused had sold the lottery ticket, which was prohibited by the State of Tamil Nadu. Hence, a case has been registered.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Based on the confession of the first accused, the petitioner has been falsely implicated in this case. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent



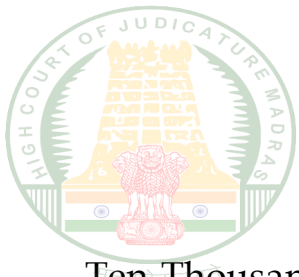
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police submits that totally there are three accused in this case, in which the petitioner is arrayed as Accused No.2. The petitioner along with other accused persons, sold the lottery ticket which was prohibited by the State of Tamil Nadu. He would further submit that the first accused was already arrested and released on bail by the Chief Judicial Magistrate, Trichy in Crl.M.P(MD)No.11231 of 2025 on 12.05.2025 and the third accused is still absconding. Hence, he objected to grant anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case, and also considering the fact that the entire properties have been recovered and also the fact that the first accused was already arrested and released on bail by the Chief Judicial Magistrate, Trichy in Crl.M.P(MD)No.11231 of 2025 on 12.05.2025, and that as the date of registration of FIR is 05.05.2025, by this time most of the investigation might have been completed, this Court is inclined to grant anticipatory bail to the petitioner, subject to 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 days from the date on which the order copy made ready, before the learned Judicial Magistrate No.V, Trichy, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees



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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 Judicial Magistrate No.V, Trichy, failing which, the petition for anticipatory bail shall stand dismissed 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 furnish his residential address and contact number to the the learned Judicial Magistrate No.V, Trichy. In the event of any change in his residential address, the petitioner shall report the same to the the learned Judicial Magistrate No.V, Trichy;

(c) the petitioner shall appear and sign before the respondent police daily at 10.00 a.m., until further orders;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond 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



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learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court
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in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560] and;

(g) if the accused/petitioner thereafter abscond, a fresh FIR can be registered
under Section 269 of BNS, 2023.

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

VSD

TO

1.The Judicial Magistrate No.V,
Trichy.

2.Do Through The Chief Judicial Magistrate, Trichy.

3.The Inspector of Police,
Palakkarai Police Station,
Trichy District.

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

ORDER

IN

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Date :16/07/2025

HPS/05.08.2025 /5P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023
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