



CRL OP(MD). No.12872 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/08/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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Mohamed Abuthahir,
S/o.Shahul Hameed

: Petitioner/ Accused
Rank not known

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Ayyampettai Police Station,
Thanjavur District.
(Crime No.230 of 2025)

: Respondent/ Complainant

For Petitioner : Mr.A.Arun Prasad,
Advocate

For Respondent : Mr.S.Prakash,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS.

PRAYER :-

For Anticipatory Bail in Crime No.230 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused Rank not known, who apprehends arrest at the hands



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of the respondent police for the offences punishable under Section 7(3) of Lotteries Regulation Act, in Crime No.230 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that based on secret information regarding the sale of banned Kerala lottery tickets, the respondent police proceeded to the place of occurrence. Upon reaching the location, they conducted a search and seized four banned Kerala lottery tickets, cash amounting to Rs.1,380/-. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that there was no recovery from the petitioner. On the basis of the confession of first accused, this petitioner has been implicated. He further submitted that the petitioner is ready and willing to abide any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail.

4.The learned Government Advocate (Criminal Side) submitted that there are totally three accused involved in this case. The petitioner herein is having seven previous cases similar in nature. He further submitted that the entire properties have been recovered. A1 was arrested and released on bail. However, he opposed to grant anticipatory bail.

5.Considering the facts and circumstances of the case, and taking into account



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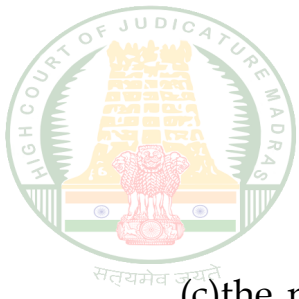
of the fact that the entire properties have been recovered and the co-accused/A1 has been released on bail by the trial Court and taking note of the fact that the occurrence had taken place on 03.05.2025, by this time, material part of the investigation might have been completed, this Court is inclined 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 his arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.III, Thanjavur, 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Judicial Magistrate No.III, Thanjavur, and on further conditions 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 mobile number to the learned Judicial Magistrate No.III, Thanjavur. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial

Magistrate No.III, Thanjavur;



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(c) the petitioner shall report before the respondent police daily twice at 10.30 a.m., and 05.00 pm., 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 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]; and;

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

sd/-
04/08/2025

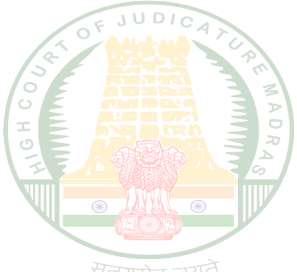
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Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

das
TO

1 The Judicial Magistrate No.III, Thanjavur.



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2 Do Through the Chief Judicial Magistrate, Thanjavur District at Kumbakonam.

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3 The Inspector of Police, Ayyampettai Police Station, Thanjavur District.

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

+1 CC to M/s.A.ARUN PRASAD, Advocate (SR-8368[I] dated 04/08/2025)

ORDER
IN

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Date :04/08/2025

NBF/SAR- /21/08/2025/ 5P/6C

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