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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.01.2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO. 1133 of 2026

1.Sivakumar

2.Dhaneshkumar

Petitioners

Vs

The State rep. by

The Inspector of Police

Thimiri Police Station

Ranipet District.

Crime No. 326 of 2025.

Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of their arrest pending investigation in Cr.No.326 of 2025 on the file of the respondent police.

For Petitioners : Mr.D.Thirumoorthy

For Respondent : Ms.J.R.Archana

Government Advocate (Criminal Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 12 of Tamil Nadu Gambling and Police Laws Act, 1930 (Amendment) Act, 2024 and Section 318(4) of BNS Act, 2023 (420 of IPC) in Crime No. 326 of 2025, on the file



of the respondent Police, seek anticipatory bail.

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2. The allegation against the petitioners is that the petitioners joined hands with other accused involved in gambling and also illegally possessed 11 liquor bottles and other materials used for enabling the card games. Hence, the case has been registered.

3. The learned Counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offences as alleged by the prosecution and they have been falsely implicated in this case. However, the petitioners are ready to co-operate with the investigation. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal side) appearing for the respondent police, reiterated the prosecution case and submitted that the investigation is pending. He further submitted that the petitioners are not having any previous cases. He opposed to grant anticipatory bail to the petitioners.



5. Considering the nature of allegations; that the petitioners are not having any previous cases; that the investigation is pending, and that custodial interrogation of the petitioners is not necessary in this case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. 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, Walajah**, on condition that the petitioners shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) If the petitioners fail to surrender before the concerned Magistrate, within a period of fifteen days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;



[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[c] the petitioners shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter, as and when required for interrogation;

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

21.01.2026

MSM



To

1. The Judicial Magistrate, Walajah

2. The Inspector of Police
Thimiri Police Station
Ranipet District.

Crime No. 326 of 2025.

3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

MSM

Cr1.O.P.No. 1133 of 2026

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