



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 5165 of 2026

1. G.Kumaran
S/o.Gangatharan,
5A, Patel Street,
Bhuvaneshwaripetrai,
Gudiyatham Taluk,
Vellore District.
2. Gopal @ Gopalakrishnan,
S/o. Vishwanathan,
81st street,
NSK Nager,
Nelloorpet,
Gudiyatham Taluk,
Vellore District – 632602.

...Petitioners/Accused

Vs

State represented by
The Inspector of Police,
Bagayam Police Station,
Vellore District.
Crime No.23/2026.

...Respondent/
Complainant

Prayer : Criminal Original Petition filed under Section 482 of Bhartiya Nagrik Suraksha Sanhita, to enlarge the petitioners on anticipatory bail in the event of their arrest in connection with Cr.No.23/2026 on the file of the respondent, Bagayam Police Station, Vellore District.



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For Petitioners :

Mr.Rajasekar M

For Respondent :

Mr.P.Dhileepan

Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest for the alleged offences **under Sections 5, 7(3) of the Lotteries Regulation Act, 1998 and 318(4) of BNS in Crime No.23 of 2026**, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners, along with other accused, were involved in the illegal selling of government-banned out-of-state lottery tickets, including Kerala lottery tickets. Hence, the case.

3. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent.

4. The learned Government Advocate (Crl.Side) for the respondent had strongly opposed the anticipatory bail application, as this case involves the Lotteries Act, and if the petitioners had been enlarged on bail, they would become emboldened him to commit similar offences and also the same would have come cascading effect upon the vulnerable poor people.



5. However, the learned counsel for the petitioners would submit that this Court has granted anticipatory bail to one Mr.Gopal alias Gopalakrishnan, in Crime 24 of 2026, and this is a Crime No.23 of 2026 and the FIR is nothing but a replica to Crime No.24 of 2026.

6. At this juncture, the learned Government Advocate (Crl.Side) strongly opposed the anticipatory bail application on the ground that the first petitioner has got four previous cases.

7. This Court is very serious in respect of the Lotteries Act cases, as the same would have serious impact upon the society, especially the poor people. Further, the first petitioner has got four previous cases and the second petitioner has two previous case. Hence, both of them do not deserve the relief of anticipatory bail.

8. The factum of previous case against the second petitioner was not brought to this Court at the time when the earlier application was considered. In such a view of peculiar facts, this Court is of the firm view that as and when the petitioners were enlarged on bail, they misused the same and subverted the justice. Therefore, this Court is of the firm view that the petitioners do not deserve anticipatory bail.



9. Accordingly, this Criminal Original Petition stands dismissed.

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To

1. The Judicial Magistrate, Vellore,
Vellore District.
2. The Inspector of Police,
Bagayam Police Station,
Vellore District.
3. The Public Prosecutor,
High Court of Madras.



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CRL OP No.5165 of 2



C.KUMARAPPAN, J.

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CRL OP No. 5165 of 2026

26-03-2026