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CRL OP No. 12253 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-05-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 12253 of 2026

1. G. Kumaran
S/o.Gangatharan

2. Gopal @ Gopakakrishnan
S/o. Vishwanathan

..Petitioner(s)

Vs

The State
Rep By, The Inspector of Police
Bagayam Police Station,
Vellore District
Crime No.23 of 2026.

..Respondent(s)

This Criminal Original Petition filed under Section 482 of BNSS to enlarge the petitioners on bail, in the event of their arrest in Crime No.23 of 2026 on the file of the respondent police.

For Petitioner(s): Mrs. Rajasekar.M

For Respondent(s): Mr. A.Gopinath,
Govt. Advocate (crl. side)



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ORDER

The petitioners, who apprehend arrest in the hands of the respondent police for the offences punishable under Sections 5, 7(3) of the Lotteries Regulation Act 1998, and 318(4) of B.N.S. in connection with the case in Crime No.23 of 2026, seek anticipatory bail.

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

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent and have not committed any such offence as alleged by the prosecution. He further submitted that based on the confession of the co-accused, the petitioners have been falsely implicated in this case. Hence, he prayed 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 first petitioner has one previous case and the second petitioner has eleven previous cases of similar in nature. Hence, he vehemently opposed to grant anticipatory bail to the Petitioners.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side, the nature of the offence and the fact that petitioners have been implicated only on the basis of the confession statement of the co-accused, and further considering that there was no recovery from the petitioners, and also taking note of the fact that though there is one previous case against the first petitioner and eleven previous cases against the second petitioner, it is seen that most of the cases have already been disposed of and in all the pending cases, bail had already been granted to the petitioners and further considering that FIR has been registered on 31.01.2025 and by this time major part of the investigation might have been completed, I am inclined to grant anticipatory bail to the petitioners subject to the following conditions.



7. 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, Vellore, Vellore District**, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners shall report before the respondent police daily at 10.00 a.m for a period of thirty(30) days and thereafter as and when required for interrogation.

[b] the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or to any police officer;

[c] the petitioners shall not leave India without the previous permission of the Court;

[d] the petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].



[f] If the accused thereafter abscond, a fresh FIR can be registered under

Section 269 B.N.S.2023.

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MRP

Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

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



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P.DHANABAL, J.

MRP

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