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CRL OP No. 12742 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. 12742 of 2026

Muthusamy @ MMS
S/o.Murugappan,
No.51, Seervai Munisamy Mudhaliyar Street,
Velappadi, Vellore, Vellore District.

..Petitioner(s)

Vs

State rep by The Inspector of Police
Bagayam Police Station,
Bagayam, Vellore District.
(Crime No.23 of 2026)

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 482 of B.N.S.S., 2023 to enlarge the petitioner on bail in the event of his arrest in crime No.23 of 2026 on the file of the Inspector of police, Bagayam Police Station, Bagayam, Vellore District.

For Petitioner(s): M/s.G.Vinodh Kumar

For Respondent(s): Mr.A.Gopinath,
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 5,7(3) of Lotteries Regulation Act, 1998 and 318(4) of BNS (420 of IPC) in connection with the Cr. No.23 of 2026, seeks anticipatory bail.

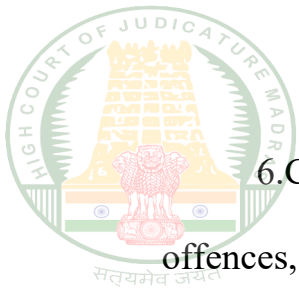


2. The case of the prosecution is that on 31.01.2026, when the respondent police were on a routine check near Chinnallahpuram Railway Gate, they found that the petitioner, along with accused was selling fake lottery tickets. Hence the case was registered against the petitioner.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and has not committed any offence as alleged in FIR. He further submitted that the petitioner's name does not find place in the FIR and that, only on the basis of the confession statement of the co-accused, the petitioner was falsely implicated in this case. He further submitted the petitioner is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed anticipatory bail for the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that there are no previous cases pending against the petitioner. He further submitted that the main accused in this case was arrested and released on bail. However, he vehemently opposed to grant anticipatory bail to the Petitioner.

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



6. Considering the rival submissions on either side, the nature of the offences, the fact that the main accused in this case was arrested and released on bail and that there are there are no previous cases pending against the petitioner, I am inclined to grant anticipatory bail to the petitioner subject to the following conditions.

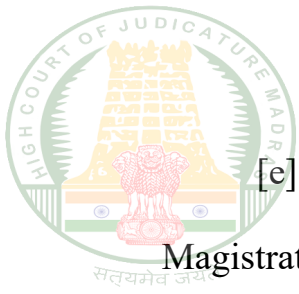
7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate No.I, Vellore** on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10.00 a.m. until further orders.

[b] the petitioner 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 petitioner shall not leave India without the previous permission of the Court;

[d] the petitioner 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 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].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.2023.

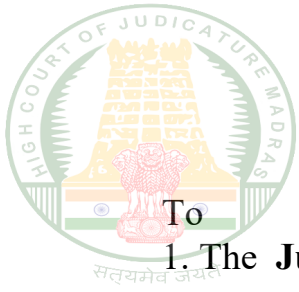
14-05-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

smn/uma

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 No.I, Vellore**

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2. The Inspector of Police

Bagayam Police Station, Bagayam, Vellore District.

3. The Public Prosecutor,
High Court of Madras



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P.DHANABAL, J.

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