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CRL OP No. 19603 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.07.2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 19603 of 2026

Kubendran
S/o.Krishnasamy

..Petitioner

Vs

The State,
Rep. by the Inspector of Police,
Ammamet Police Station,
Salem City.
Crime No.236 of 2026.

..Respondent

Prayer: Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023 to enlarge the petitioner on anticipatory bail in the event of his arrest in respect of Crime No.236 of 2026 on the file of the respondent, pending investigation.

For Petitioner : Mr.B.Vetrivel

For Respondent(s): Mr.N.Palanivel
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest for the alleged offence punishable under Section 7(3) of Lotteries Regulations Act, 1998 in Crime No.236 of 2026, on the file of the respondent police seeks anticipatory bail.



2. The allegation against the petitioner is that he was found in illegal possession of banned lottery tickets. Hence, the case.

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3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is suffering from severe cardiac ailments, namely Triple Vessel Coronary Artery Disease (TVD) along with the Congestive Cardiac Failure (CCF). In support of the same, a medical prescription dated 29.05.2026 has also been produced before this Court. He would submit that the doctor has advised the petitioner to undergo bypass surgery. Hence, he prays to grant anticipatory bail to the petitioner.

4. Per contra, the learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and strongly opposed the grant of anticipatory bail to the petitioner on the ground that the petitioner has five previous cases.

5. Considering the facts and circumstances of the case and also considering the severe medical condition, though the petitioner has five previous cases, this Court is inclined to enlarge the petitioner on anticipatory bail with certain conditions. At this juncture, the learned counsel for the petitioner submitted that the petitioner, without prejudice to his defense and

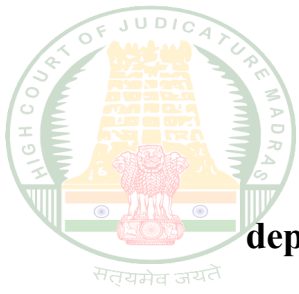


contention, is ready and willing to deposit an amount of Rs.1,00,000/- (Rupees One Lakh only) as a non-refundable deposit to any welfare scheme of the Government or any other organization.

6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the learned Judicial Magistrate – V, Salem, on condition that the petitioner 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that:

[a] If the petitioner fails to surrender before the concerned learned Magistrate within a period of fifteen (15) 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 suretyship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identity proofs to ensure their identity;



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[c] The petitioner is directed to make a non-refundable deposit of Rs.1,00,000/- [Rupees One Lakh Only] towards the account of M/s.Patient Welfare Society, Anayankadu Road, Vasantha Mill, Singanallur, maintained at Canara Bank, Singanallur Branch, No.2225, Trichy Road, Singanallur, Coimbatore District-641015, bearing SB Account No.110210036953, IFSC Code No.CNRB0016562, MICR No.641015100 and to produce the Bank challan before the concerned Magistrate and the receipt shall be produced at the time of executing the bond;

[d] The petitioner shall sign before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation;

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial;

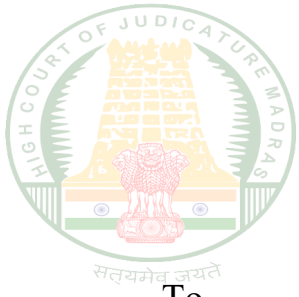
[e] the petitioner shall not abscond either during investigation or trial.

[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];**

[g] If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

23.07.2026

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To
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1. The Judicial Magistrate – V, Salem.
2. The Inspector of Police,
Ammamet Police Station,
Salem City.
3. The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN, J.

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