



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Cr1.O.P.No.9277 of 2022

Ramprosad Naskar

.. Petitioner

Vs.

The State rep. by
The Inspector of Police,
Cyber Crime Police Station,
Central Crime Branch,
Vepery, Chennai-600 007

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail in CC. No.9742 of 2021 on the file of Chief Metropolitan Magistrate, Chennai pending trial.

For Petitioner : Mr.K.Subburam

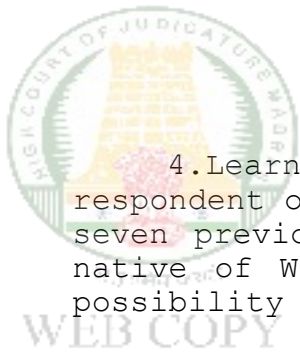
For Respondent : Mrs.G.V.Kasthuri
Additional Public Prosecutor

ORDER

The petitioner, who was arrested on 24.10.2021 for the offences punishable under Sections 120(B), 419, 420 of IPC, 66(C) & 66(D) of IT Act in Crime No.65 of 2021 and C.C. No.9742 of 2021, on the file of the Chief Metropolitan Magistrate pending trial, seeks bail.

2.The petitioner herein is arrayed as A3 in a case of online fraud. The investigation is completed and the final report is filed.

3.Learned counsel for the petitioner submitted that the petitioner is the Income Tax Assessee and ready to furnish any security. According to him, the alleged amount defrauded has already been substantially recovered and from this petitioner, 148 grams of gold was recovered.



4.Learned Additional Public Prosecutor appearing for the respondent opposed granting bail stating that the petitioner is having seven previous cases of similar in nature all over India and he is native of West Bengal. If he is released on bail, there is every possibility of abscondance.

5.Taking note of the fact that the investigation is completed and the final report is filed, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions;

(a) the petitioner shall execute a bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) with two sureties and one of the surety shall be a Government Servant working in the State of Tamilnadu, each for a like sum to the satisfaction of the learned Chief Metropolitan Magistrate, Chennai;

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) Besides the date of trial, the petitioner is directed to report before the trial court on the first working day of every month at 10.30 a.m. till the completion of the trial;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Judicial 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 absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-
27/04/2022

This order, on being produced, be punctually observed and carried into execution by all concerned
TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.



TO

1 THE CHIEF METROPOLITAN MAGISTRATE,
CHENNAI.

2 THE INSPECTOR OF POLICE
CYBER CRIME BRANCH, CENTRAL CRIME BRANCH,
VEPERY, CHENNAI-600007.

3 THE SUPERINTENDENT/JAILER,
HOOGHLY CORRECTION HOME, WEST BENGAL.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S K. SUBBURAM Advocate on payment of necessary charges
SR.No.6306

CRL OP.9277/2022

Date :27/04/2022

CSK 28/04/2022