



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Fifth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M.NIRMAL KUMAR

CRIMINAL ORIGINAL PETITION No.11849 of 2022

ABHISHEK JAIN

[PETITIONER / ACCUSED]

Vs

STATE REP. BY
THE INSPECTOR OF POLICE
CYBER CRIME POLICE, CCD -1,
CHENNAI DISTRICT.
CRIME NO.35 OF 2022.

[RESPONDENT]

For Petitioner : M/S.SYED NIZAMUDDIN AHMED HUSSAINI Advocate

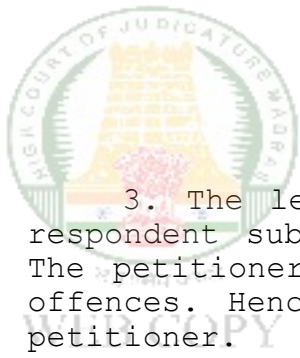
For Respondent : MR.A.DAMODARAN, Additional public Prosecutor

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 28.03.2022 for the alleged offences under Section 420 IPC and Sections 66C and 66D of Information Technology Act in Crime No.35 of 2022 on the file of the respondent police, seek bail.

2. The contention of the petitioner is that he has been arrested on 28.03.2022, on a complaint lodged by the de facto complainant Dr.V.R.Mohan Roa, as though the petitioner has sent a link and asked the de facto complainant to upload his PAN Card particulars. Thereafter, an amount of Rs.1,99,999/- had been debited from the account of de facto complainant. The petitioner has been arrested merely on suspicion in this case. Apart from the petitioner no other accused has been arrested in this case. The petitioner hails from Rajasthan and he undertakes to deposit a sum of Rs.2,00,000/- to the credit of the Crime No. 35 of 2022 before the Lower Court.



3. The learned Additional Public Prosecutor appearing for the respondent submitted that cyber crime investigation is in progress. The petitioner along with unknown accused have committed the above offences. Hence, he vehemently opposed for grant of bail to the petitioner.

4. Taking into consideration of the above facts and that the petitioner is aged about 19 years, due his misadventure and misfortune, he has been wrongly trapped into this case, and that, he is also willing to deposit the amount, this Court is inclined to grant bail to the petitioner subject to following conditions.

5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, out of which, one of the sureties must be his parent and one of the sureties must be the local surety, each for a like sum to the satisfaction of the learned Chief Metropolitan Magistrate, Egmore and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 am until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[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 absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-
25/05/2022

WEB COPY

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,
EGMORE, CHENNAI.

2 THE INSPECTOR OF POLICE
CYBER CRIME POLICE, CCD -1,
CHENNAI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.SYED NIZAMUDDIN AHMED HUSS Advocate on payment of necessary charges SR.NO.7833

CRL OP.11849/2022

Date :25/05/2022

JPA 26/05/2022