



WEB COPY



CrI.O.P.No.17719 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2022

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CrI.O.P.No.17719 of 2022

Ravishankar

...Petitioner/A1

Vs.

State rep. by
The Inspector of Police,
Cyber Crime Police Station,
Tiruppur City.
Crime No.22 of 2022

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.22 of 2022 pending
investigation on the file of the Respondent Police.

For Petitioner : Mr.Balaji Thirumoorthy

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor



Crl.O.P.No.17719 of 2022

WEB COPY

ORDER

The petitioner, who was arrested and remanded to judicial custody on 28.05.2022 for the offences punishable under Sections **66D of IT Act and 420, 120B, 201, 204 of IPC** in Crime No. 22 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that, the petitioner along with other accused called the defacto complainant through mobile phone and asked OTP and thereby tracked information and allegedly taken a sum of Rs.79,800/- from the defacto complainant's account. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. That apart, the petitioner has been suffering incarceration from 28.05.2022. Therefore, he prays to grant bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner along with other accused approached the defacto complainant through mobile phone and demanded their OTP and thereby



Crl.O.P.No.17719 of 2022

swindled money from them. Hence, he vehemently opposed grant of bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the period of incarceration undergone by the petitioner from the date of arrest ie., from 28.05.2022, this Court is inclined to grant bail to the petitioner.

6. 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 blood related sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate, No.III, Tiruppur** 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.



Crl.O.P.No.17719 of 2022

WEB COPY

[b] the petitioner shall stay at Thiruvannamalai report before the Thiruvannamalai Town Police twice daily at 10.30.a.m., and 04.30.p.m., for a period of two weeks and thereafter report before the respondent police daily at 10.30.a.m., and 04.30.p.m., for a period of four weeks and thereafter as and when required for interrogation;

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

28.07.2022

sma



Crl.O.P.No.17719 of 2022

WEB COPY

To

1. Judicial Magistrate, No.III,
Tiruppur.
2. The Inspector of Police,
Cyber Crime Police Station,
Tiruppur City.
3. Sub Jail,
Tiruppur.
- 4.The Public Prosecutor,
High Court of Madras



WEB COPY



Crl.O.P.No.17719 of 2022

G.K.ILANTHIRAIYAN, J.

sma

Crl.O.P.No.17719 of 2022

28.07.2022