



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 18/05/2022

PRESENT

WEB COPY

THE HON'BLE MRS JUSTICE T.V.THAMILSELVI

CRL OP(MD) . No.9190 of 2022

Muthukumar

... Petitioner/sole accused

Vs

The State represented by
The Inspector of Police,
Cyber Crime Police Station,
Ramanathapuram.
Crime No.8 of 2022

... Respondent / Complainant

For Petitioner : Mr.R.Senthil Kumar,
Advocate.

For Respondent : Mr.M.Sakthikumar,
Government Advocate (Crl. side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.8 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/sole accused, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 420 IPC and 66(D) of IT Act, in Crime No.8 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner, by giving false promise, induced the defacto complainant to invest a sum of Rs.6,60,000/- in share market and after giving some profit amount, cheated the defacto complainant.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent persons and he has been falsely implicated in this case. He further submits that the petitioner has already paid a sum of Rs.3,00,000/- to the defacto complainant. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side) opposed for grant of anticipatory bail on the ground that by giving false promise, the petitioner induced the defacto complainant to invest the amount of



Rs.6,50,000/- in share market and thereafter, cheated the defacto complainant. He further submits that a sum of Rs.3,00,000/- has been recovered from the petitioner and the balance amount of Rs.3,50,000/- is yet to be recovered from him.

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain 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 of receipt of a copy of this order, before the learned Judicial Magistrate No.1, Ramanathapuram, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall deposit a sum of Rs.1,00,000/- (Rupees one lakh only) to the credit of Cr.No.8 of 2022 before the learned Judicial Magistrate No.1, Ramanathapuram, within a period of two weeks from the date of receipt of a copy of this order, without prejudice to his rights and contentions before the trial Court. If the petitioner fails to deposit the said amount, the anticipatory bail granted to the petitioner will be cancelled.

[c] the petitioner shall report before the respondent police on every Wednesday at 10.30 a.m. for a period of three months and as and when required for interrogation.

[d] the petitioner shall not tamper with the 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]**.

sd/-

18/05/2022

/ TRUE COPY /

/ /2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1 THE JUDICIAL MAGISTRATE NO.I,
RAMANATHAPURAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.

3 THE INSPECTOR OF POLICE
CYBER CRIME POLICE STATION, RAMANATHAPURAM.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.SENTHIL KUMAR R Advocate SR.No.4792

ORDER

IN

CRL OP(MD) No.9190 of 2022

Date :18/05/2022

SS/PN/SAR:I/23.05.2022 : 3P/6C