



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )  
Date : 09/06/2022  
PRESENT

**The Hon`ble Mr.Justice K.MURALI SHANKAR**

**CRL OP(MD) . No.10103 of 2022**

R.M.Balaji ... Petitioner/Accused(Rank not known)

Vs

The State represented by  
The Sub Inspector of Police,  
CCD-III, Madurai District.  
Crime.No.21 of 2022.

... Respondent/Complainant

For Petitioner : Mr.H.Mohammed Imran,  
for Ajmal Associates,  
Advocate.  
For Respondent : Mr.B.Thanga Aravindh,  
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.21 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 25.04.2022 for the offences punishable under Sections 66(C) and 66(D) of Information Technology Act and Sections 465 and 468 of IPC in Crime No.21 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner has created fake E-mail ID, which belongs to the Thiyagarajar Mills Private Limited and used his mail ID as recovery mail ID and used his cell number for recovery SMS in order to obtain money fraudulently from the customers of the said Mills by creating bank account in the guise of the company. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution.



4.The learned Government Advocate (Crl. side) would submit that the petitioner created a fake E-mail ID to swindle the de-facto complainant's money through International bank account by using his mail ID and cell phone for recovery. He would further submit that the petitioner is having no previous case.

WEB COPY

5.Considering the nature of the charges levelled against the petitioner and also the facts that the petitioner is in judicial custody from 25.04.2022 and that the petitioner is not having any previous case for similar or serious offence or for any other property offences, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6.Accordingly, the petitioner is ordered to be released on bail on his executing 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 Judicial Magistrate Court, Thirumangalam.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(iii)the petitioner shall not tamper with evidence or witness;

(iv)the petitioner shall not abscond during trial;

(v)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]***.

(vi)If the accused / petitioner thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-

09/06/2022

/ TRUE COPY /

/ /2022

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



TO

1 THE JUDICIAL MAGISTRATE,  
THIRUMANGALAM.

2 DO-THROUGH :  
THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE SUPERINTENDENT,  
CENTRAL PRISON, MADURAI.

4 THE SUB INSPECTOR OF POLICE  
CCD-III, MADURAI DISTRICT.

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

+1. CC to M/S. AJMAL ASSOCIATES Advocate SR.No.24751(f)

ORDER

IN

CRL OP(MD) No.10103 of 2022

Date :09/06/2022

SS/SVR/SAR:II/09.06.2022 : 3P/7C