



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 28/04/2023
PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.8217 of 2023

Omar Mohammed Saleem,

... Petitioner/Accused 16

Vs

The State rep.by
The Inspector of Police,
Cyber Crime Police Station,
Sivagangai,
Sivagangai Distirct.
Crime No.10 of 2023.

... Respondent/Complainant

For Petitioner : M/s. M.ALAGATHEAVAN, Advocate
for M/s.SPICY LAW FIRM,

For Respondent : Mr.R.M.ANBUNITHI,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.10 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner /A16 who was arrested and remanded to judicial custody on 04.03.2023 for the offences under sections 420, 120(b), 468,471, of IPC r/w.Section 66 (D) of I.T.Act and sections 20,21,25 of Telegraph Act in Crime No.10 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution as per the de-facto complainant is that the petitioner along with other accused cheated and fraudulently executed sim cards and associated for the fraudulent activities through online, hence the case.

3. Heard both sides and perused the materials available on record including the First Information Report.

4. Taking into consideration the facts and submissions made by the learned counsels and also the period of incarceration and also the fact that the co-accused was released on bail by this Court,



this court is inclined to grant bail to the petitioner , subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute 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.II, Sivagangai and on further conditions that:

[b] 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.

[c] the petitioner shall report before the respondent police daily at 10.30 A.M. and 5.30P.M., until further orders.

[d] the petitioner shall not commit any offences of similar nature.

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

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

[g] 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].

[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

28/04/2023

/ TRUE COPY /

28/04/2023

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

AAV

TO

1 THE JUDICIAL MAGISTRATE NO.II,
SIVAGANGAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

<https://www.mhc.tn.gov.in/judis>



3 THE OFFICER INCHARGE,
SUB-JAIL, RAMANTHAPURAM.

4 THE INSPECTOR OF POLICE,
CYBER CRIME POLICE STATION,
SIVAGANGAI,
SIVAGANGAI DISTIRCT.

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

+1. CC to M/S.SPICY LAW FIRM, SR.No.6930 (I) Dt.28/04/2023.

ORDER

IN

CRL OP(MD) No.8217 of 2023

Date :28/04/2023

SA/MMS/SAR. /28.04.2023/3P/7C