



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 27.04.2023
PRESENT

WEB COPY

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

CRL OP(MD) . No.7972 of 2023

Navaneetha Krishanan

... Petitioner/Accused
Rank Not Known

Vs

The State rep., by
The Inspector of Police,
Cyber Crime Police Station,
CCD-III,
Tenkasi District.
(Crime No.16 of 2022)

... Respondent/Complainant

For Petitioners : Mr.C.Thamotharakannan, Advocate

For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor

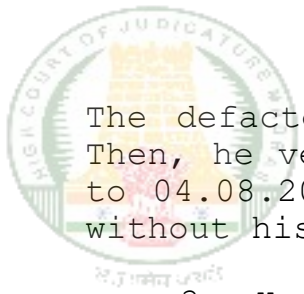
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :- For Anticipatory Bail in Crime No.16/2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/accused rank not known, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 420 of IPC and Sections 66 and 66D of Information Technology Act, 2000, in Crime No.16 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant namely one Karunakaran worked as Deputy Agriculture Officer and retired from his service on 31.07.2011. Thereafter, he is maintaining a savings bank account in Canara Bank, A/c.No.096110101337526, IFSC Code CNRB0000961 in Tenkasi. While on 17.08.2021, he withdrew cash in Canara Bank ATM, which is situated at Sengottai, came to know that some amount has been debited from his account, immediately, he rushed to the bank and informed the same, then the defacto complainant was informed that said amounts were transferred to some ones account through online transaction.



The defacto complainant does not receive neither message. Then, he verified his bank statement and found that from 20.05.2021 to 04.08.2021 in various dates a sum of Rs.1,94,000/- were debited without his knowledge. Hence, he lodged a complaint.

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

4. It is seen that the petitioner fell in love with the daughter of the defacto complainant and as such, a complaint has been lodged. On perusal of FIR revealed that so many amounts had been withdrawn from the defacto complainant's account. Therefore, taking into consideration of the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions:

5. 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 on which the order copy made ready, before the learned District Munsif cum Judicial Magistrate, Sengottai, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 Aadhar card or Bank Pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police, daily at 10.30 am., for a period of two weeks and thereafter, as and when required for interrogation.

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

sd/-

27/04/2023

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/05/2023

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

RMK

TO

- 1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
SENGOTTAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
CYBER CRIME POLICE STATION,
CCD-III,
TENKASI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S. THAMOTHARAKANNAN.C Advocate SR.No.6816

ORDER

IN

CRL OP(MD) No.7972 of 2023

Date :27/04/2023

SA/MMS/SAR.2/17.05.2023/3P/6C