



Crl.O.P.No.27756 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2024

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**THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA**

Crl.O.P.No.27756 of 2024

Anil Jatav

... Petitioner

Vs.

The State represented by,  
The Inspector of Police,  
Cyber Crime Police Station,  
CCD-III, Mayiladuthurai.

(Crime No.05 of 2024).

... Respondent

**PRAYER:** Criminal Original Petition filed under Section 483 of BNSS Act, pleaded to enlarge the petitioner on bail, in connection with Crime No.05 of 2024, on the file of the respondent Police.

For Petitioner : Mr.D.Chandrasekar

For Respondent : Mr.Leonard Arul Joseph Selvam  
Government Advocate (Crl.Side)

### **ORDER**

This Criminal Original Petition has been filed by the petitioner, who was formally arrested and remanded to judicial custody on 13.09.2024,



CrI.O.P.No.27756 of 2024

seeking bail in Crime No.05 of 2024 registered for the offences under Sections 170, 171, 419, 420, 468, 471, 384, 506(i), 120(B) of IPC r/w Section 66D of the Information Technology (Amendment) Act, 2008.

2. The case of the prosecution is that the accused, by impersonating themselves to be police personnel, had threatened the de facto complainant stating that the arrest warrant was issued against him in a money laundering case and put him under threat for making payment and made him to transfer Rs.98,00,000/- to a SBI account and cheated him. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner, aged about 24 years, is an innocent person and he has been falsely implicated in this case as A3. He further submitted that the petitioner was earlier arrested in Crime No.158 of 2024 registered by the Coimbatore City Cyber Crime and subsequently, detained under Act 14 and the same was set aside by this Court in H.C.P.No.2177 of 2024 dated 26.09.2024. He also submitted that the petitioner had not involved in any money transaction and he is in no way connected with the alleged offence. He further submitted that the petitioner is suffering incarceration from 13.09.2024 and he is ready to



Crl.O.P.No.27756 of 2024

abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while objecting for grant of bail to the petitioner, submitted that it is a case of digital arrest and the accused, by threatening the de facto complainant, in the guise of police personnel, had cheated him to the tune of Rs.98,00,000/-. He further submitted that the petitioner/A3 is also involved in this offence and apart from this case, he was formally arrested in a similar case registered on the file of the Nungambakkam Police Station. He also submitted that the case is under investigation and if the petitioner is released on bail, there is a possibility of him absconding and not available for further investigation.

5. Heard the learned counsel appearing for the petitioner, the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the



Crl.O.P.No.27756 of 2024

case, the submissions made by the learned counsel on either side and also taking note of the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties** (out of which, one surety should be a blood related surety), each for a like sum to the satisfaction of the learned **Judicial Magistrate No.I, Mayiladuthurai**, 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;

**[b] the petitioner shall report before the respondent Police, everyday at 10.30 a.m., until further orders;**

[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



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CrI.O.P.No.27756 of 2024

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 269 of B.N.S.

20.11.2024

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To

1. The Judicial Magistrate No.I,  
Mayiladuthurai.
2. The Inspector of Police,  
Cyber Crime Police Station,  
CCD-III, Mayiladuthurai.
3. The Superintendent,  
Central Prison,  
Puzhal.
4. The Public Prosecutor,  
High Court of Madras.



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Crl.O.P.No.27756 of 2024

**A.D.JAGADISH CHANDIRA.,J.**

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**Crl.O.P.No.27756 of 2024**

**20.11.2024**