



Crl.O.P.No.28738 of 2024

A.D.JAGADISH CHANDIRA, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 66(D) of Information Technology Act, 2000 and Sections 318(4) and 319(2) of BNS, 2023 in Crime No.124 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that, based on the investigation conducted, as per the complaint given by the defacto complainant one Praveen, who has been cheated for a sum of Rs.30,000/- through an online Locanto app for massage in Puducherry, the petitioners were arrayed as accused. Hence, this case.

3. Learned counsel appearing for the petitioners would submit that petitioners are innocent and have not committed any offence, as alleged by the prosecution and they have been falsely implicated in this case. He would further submit that the petitioners have no previous case and are ready to abide by any condition, that may be imposed by this Court and also to appear and co-operate for the investigation, therefore, he prayed for the grant of anticipatory



bail to the petitioners.

WEB COPY

4. Learned Public Prosecutor (Puducherry) appearing for the respondent police opposed for the grant of anticipatory bail to the petitioners, stating that the petitioners have induced the defacto complainant through an Online App Locanto for massage, thereby cheated a sum of Rs.30,000/- from the defacto complainant. He would further submit that, on investigation by the respondent police, it is found that there is a sum of Rs.85,00,000/- lying in the bank account of the accused.

5. Heard the learned counsel for the petitioners, the learned Public Prosecutor (Puducherry) appearing for the respondent police and perused the materials available on record including the FIR.

6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Chief Judicial**



Magistrate, Puducherry on condition that the petitioners shall execute a separate 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 petitioners 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 petitioners shall report before the respondent police everyday at 10:30 a.m., until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down



WEB COPY

Crl.O.P.No.28738 of 20



by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala
[(2005)AIR SCW 5560].

A.D.JAGADISH CHANDIRA, J.

stn

[f] If the accused thereafter abscond, a fresh FIR can
be registered under Section 269 of B.N.S.

19.11.2024

stn

Crl.O.P.No.28738 of 2024