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CrI.O.P.No.30137 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **05.12.2024**

CORAM

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

CrI.O.P.No.30137 of 2024

G.Raghul

... Petitioner

Vs.

The Deputy Superintendent of Police,
State Cyber Crime Investigation Centre,
Cyber Crime Wing,
Ashok Nagar,
Chennai- 600 083.
(Crime No. 53 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in connection with **Crime No.53 of 2024**, pending investigation on the file of the respondent Police.

For Petitioner : Mr.K.Ramsankar

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

ORDER

Petition seeking bail in respect of **Crime No.53 of 2024** registered for the offences punishable under Sections **318(4), 319(2) of BNS r/w. Section 66D of IT Act**, is on board for consideration.



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2. The incarceration of the petitioner being from 09.10.2024 pleading innocence on the part of the petitioner and false implication in the case, the learned counsel for the petitioner seeks indulgence of this Court. He also submits that the petitioner received only Rs.500/- commission for each transaction, other than that the petitioner has nothing to do with the alleged occurrence. He further submits that co-accused have been enlarged on bail in Crl.O.P.No.29232 of 2024 by this Court vide order dated 27.11.2024. He would further submit that the petitioner is ready to abide by any stringent condition that may be imposed by this court.

3. The case of the prosecution, as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, it is the case of digital arrest and the petitioner along with other accused instigated one Hariharan to open an account and thereby, petitioner has received a sum of Rs.70,00,000/- from his account. He would submit that the petitioner/A-6 induced A-1 to A-4 to open the account and handed over the account details to A-5. He would submit that the petitioner/A-6 received an amount of Rs.500/- for each transaction.



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4. Having heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, this court is inclined to grant bail to the petitioner with certain conditions and 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 must be a father or mother of the petitioner**, each for a like sum to the satisfaction of the learned **XI Metropolitan Magistrate, Saidapet, Chennai-15**, 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 appropriate action against the petitioner in accordance with law as if the



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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.

05.12.2024

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To

1. The XI Metropolitan Magistrate,
Saidapet, Chennai-15.
2. The Deputy Superintendent of Police,
State Cyber Crime Investigation Centre,
Cyber Crime Wing,
Ashok Nagar, Chennai- 600 083.
3. The Superintendent,
Puzhal Central Jail, Chennai.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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