



Crl.O.P.No.28661 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2024

CORAM

THE HON'BLE MR. JUSTICE **C.V.KARTHIKEYAN**

Crl.O.P.No.28661 of 2023

Suhas

...Petitioner/Accused-1

Vs.

State represented by
The Station House Officer,
Cyber Crime Police Station,
Puducherry.
(Crime No.52 of 2023)

...Respondent / Complainant

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.52 of 2023 on the
file of the respondent police.

For Petitioner : Mr.A.Murugavel

For Respondent : Mr.K.S.Mohandass
Public Prosecutor, Puducherry



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 23.10.2023 for the offences punishable under Sections 419, 420 IPC and Section 66D of the Information Technology Act, 2000 in Crime No.52 of 2023, seeks bail.

2.It is stated that a complaint had been lodged before the respondent, wherein, an unknown person had contacted the defacto complainant through Whatsapp Messenger No.9019383887, introducing himself as S.Suhas and informed about Binance Crypto Currency Exchange and persuaded the defacto complainant to invest money and accordingly, the defacto complainant invested Rs.21,51,000/-. The said amount was taken away by the accused.

3.It is also stated that during the course of investigation, the respondent had recovered a sum of Rs.18,00,000/- . The other accused



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had been granted bail by the learned Chief Judicial Magistrate, Puducherry in Crl.M.P.No.11614 of 2023. It is also stated that the bail had been granted on condition that the said petitioner / A2 should deposit a sum of Rs.2,00,000/- to the credit of crime number.

4. Taking into consideration the period of incarceration suffered by the present petitioner and also the fact that, now investigation has been completed, this Court is inclined to grant bail to the petitioner herein, however, **directing him to deposit a sum of Rs.2,00,000/- to the credit of crime No.52 of 2023 and on such deposit, the learned Chief Judicial Magistrate, Puducherry, may transfer the said amount to any interest earning fixed deposit account in anyone of the Nationalized Banks and pass final orders on conclusion of trial. The learned Chief Judicial Magistrate, Puducherry, may also transfer any other amount deposited by other accused, who had been granted bail in Crl.M.P.No.11614 of 2023 by an order dated 02.01.2024, also to any interest earning fixed deposit account in anyone of the Nationalized Banks and pass final orders on conclusion of trial.**



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5. 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 sureties, each for a like sum to the satisfaction of the learned Chief Judicial Magistrate, Puducherry, 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 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].



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

05.01.2024

smv

To

1. The Chief Judicial Magistrate, Puducherry.
2. The Central Prison, Kalapet, Puducherry.
3. The Station House Officer,
Cyber Crime Police Station,
Puducherry.
4. The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN. J.

smv

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