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Crl.O.P.No.30884 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2024

CORAM :

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

Crl.O.P.No.30884 of 2024

1	S.Srinivasan	...	PETITIONER
		Vs	
1	The State Rep By Its Inspector of Police, Cybercrime Police Station, Avadi City CCD-1, Crime No.142 of 2024	...	RESPONDENT

PRAYER: The Criminal Original Petition has been filed under Section 482 of B.N.S.S. to enlarge the petitioner / accused on Anticipatory Bail in the event of arrest by Respondent in Crime No. 142 of 2024 on the file of respondent Police for alleged offences punishable under section of 420 of Indian Penal Code and 66D of Information Technology Act and may also be pleased to pass any other order as deem fit and proper in the circumstances of the case and render justice.

For Petitioner	: Mr.Cannane Irissappane
For Respondent	: Mr.S.Santhosh Government Advocate (Crl.side)



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ORDER

Apprehending arrest in connection with Crime No.142 of 2024 registered for the offences punishable under Sections 420 IPC and 66D of Information Technology Act, the present petition has been filed by the petitioner seeking anticipatory bail.

2.The case of the prosecution is that the accused induced the defacto complainant on the assurance of getting huge profits in the share market and made him to invest 32 lakhs and cheated him.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and that a case of money transaction has been falsely projected as a case of cheating. He would submit that as per the prosecution, only an amount of Rs.2 lakh has come to the account of the petitioner and without prejudice to the defence and contention, the petitioner is ready and willing to deposit one lakh to the credit of crime No.142 of 2024 within a period of three weeks. He further submits that the



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petitioner is ready to abide by any stringent condition that may be imposed by this court.

4. Considering the voluntary submission made by the learned counsel for the petitioner, the petitioner is directed to deposit a sum of **Rs.1,00,000/- (Rupees one lakh only)** to the credit of the **crime No.142 of 2024** without prejudice to the right of defence before the Trial Court and making it clear that it would not amount to admission of guilt.

5. Further, having heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly, he 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 of receipt of a copy of this order, before the Judicial Magistrate Court No.II, Poonamallee on condition that the petitioner 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



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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 everyday at 10.30 a.m., until further orders.

[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



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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 269 B.N.S.

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A.D.JAGADISH CHANDIRA, J.,

sms

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