



Crl.O.P.No.31049 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.12.2024

CORAM

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

Crl.O.P.No.31049 of 2024

Mukul Chandel

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
CCD-III Mayiladuthurai,
(Crime No.05 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.05 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.R.Prabakar

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

ORDER

Petition seeking bail in respect of Crime No.05 of 2024 registered for



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the offences punishable under Sections 170, 171, 419, 420, 468, 471, 384, 506 (i), 120(B) of IPC and 66D of information Technology (Amendment) Act 2008, is on board for consideration.

2. The incarceration of the petitioner being from 24.08.2024 pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. 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.2644 of 2024 dated 19.10.2024. He also submitted that the petitioner had not involved in any money transaction and he is in no way connected with the alleged offence.

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, is 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 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



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available for further investigation.

4. Having heard the learned counsel for the petitioners and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, and taking note of the nature of allegation, 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**, each for a like sum to the satisfaction of the learned **Judicial Magistrate Court No.2, 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;



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[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]***;

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

12.12.2024

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To

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



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A.D.JAGADISH CHANDIRA.,J.

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