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Crl.O.P.No.31585 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.31585 of 2024

Arun

... Petitioner

Vs.

The State Represented by its
Inspector of Police,
Coimbatore City Cyber Crime Police Station,
(Crime No.257/2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime
No.257 of 2024 on the file of the respondent Police.

For Petitioner : Ms.Ilayarani Ponraj

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

ORDER

Petition seeking bail in respect of Crime No.257 of 2024 registered for
the offences punishable under Sections 318(4), 79 of Bharatiya Nyaya Sanhita,
2023 r/w. Section 4 of Tamil Nadu Prohibition of Women Harassment Act 2008
and 66 C of Information Technology (Amendment) Act, 2008, is on board for



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consideration.

2.The incarceration of the petitioner being from 20.11.2024 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 also submits that the false complaint has been registered only extort money from the petitioner. He also submits that the petitioner is no way connected with the alleged offences and he 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, is that the de facto complainant runs a Women's Self-Help Group (SHG) and arranges loans for its members. The petitioner, who was introduced to her through mutual contacts, claimed that he could secure product loans for SHG members and repay them upon receiving the products. Relying on this, the de facto complainant availed loans for certain SHG members and relatives to a sum of Rs.2,10,000/- for purchasing televisions and iPhones, even though the petitioner sold these products, he remitted only partial amount and failed to pay remaining amount, which creates dispute. When the same was questioned, the petitioner abused the de facto complainant and Karthika and posted defamatory WhatsApp statuses, including photos of Dinesh Kumar and Karthika, labelling



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them as "wanted." He further submits that there are no previous cases against the petitioner.

4. Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and considering the period of incarceration undergone by the petitioner, 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 IV, Coimbatore, 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.

18.12.2024

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To

1. The Judicial Magistrate Court IV,
Coimbatore.
- 2.The Inspector of Police,
Coimbatore City Cyber Crime Police Station,
- 3.The Superintendent,
Central Jail, Coimbatore.
- 4.The Public Prosecutor,
High Court of Madras



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A.D.JAGADISH CHANDIRA., J.

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