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Crl.O.P.No.31888 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2024

CORAM

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

Crl.O.P.No.31888 of 2024

1.Krishnaveni

2.Ramesh

... Petitioners

Vs.

The State represented by,  
The Station House Officer,  
CCD II, Cuddalore Police Station,  
Cuddalore District.  
(Crime No.139 of 2024).

... Respondent

**PRAYER :** Criminal Original Petition filed under Section 482 of BNSS, pleased to enlarge the petitioner on bail in the event of their arrest in connection with the Crime No.139 of 2024, on the file of the respondent.

For Petitioners : Mr.S.Viswesh

For Respondent : Mr.S.Santhosh  
Government Advocate (Crl.Side)



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## **ORDER**

Apprehending arrest in connection with Crime No.139 of 2024 registered for the offences punishable under Sections 420 IPC and Section 66 D of Information Technology (Amendment) Act 2008, the present petition has been filed seeking anticipatory bail.

2.Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He further submits that A1 had induced the defacto complainant on the assurance of getting unskilled labour job in abroad and collected a sum of Rs.16,48,800/- from the defacto complainant and transferred the said amount into the account of the petitioners, who are his parents. He would also submit that the petitioners are illiterate and their son deposited some amount into their account, other than that, the petitioners have no role in this case. The petitioners were called for enquiry by the respondent Police and the petitioner were directed to transfer the amount of Rs.3 Lakhs in favour of the defacto complainant. The petitioners have sent the same via ICIC Bank account in Reference ID No.425620281032 and they also returned a cash amount of Rs.1 Lakh. Further, the petitioner inorder to show their bonafides are ready to deposit the original title deed of the housing plot registered



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before Office of District Registrar, Puducherry under Doc. No.7043 of 2024 book 1 dated 13.03.2024 to the credit of the Crime No.139 of 2024. and ready to appear before the respondent for investigation.

3.The case of the prosecution, as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail, submitted that the petitioners are parents of A1, who had induced the defacto complainant on the guise of getting job and collected a sum of Rs.16,48, 800/-. He would further submit that the petitioners have appeared for enquiry and they have also transferred a amount of Rs.4 Lakhs to the defacto complainant and investigation is still pending. Hence, he object for grant of bail.

4.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 **learned Judicial Magistrate No.3, Cuddalore** on condition that the petitioner shall execute a



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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 respondent Police or the Police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] 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;

**[c] the petitioner shall deposit the original title deed of the immovable property in Doc. No.7043 of 2024 dated 13.03.2024 registered before the Office of District Registrar, Puducherry, to the credit of the Crime No.139 of 2024 and shall report before the respondent as and when required.**

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial;

[f] 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



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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];

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

**20.12.2024**

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To

- 1.The Judicial Magistrate- No.3,  
Cuddalore.
- 2.The Station House Officer,  
CCD II, Cuddalore Police Station,  
Cuddalore District.
- 3.The Public Prosecutor,  
High Court, Madras.



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**A.D.JAGADISH CHANDIRA., J.**

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