



CRL OP(MD)No.10087 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD)No.10087 of 2024

M.Balamurugan

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Cyber Crime Police Station,
CCD-III, Madurai City.
Crime No.17 of 2024

... Respondent/Complainant

For Petitioner : Mr.M.Subash Babu, Senior Counsel
for M/S.Subash Law Office

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

For Intervenor : Mr.Ganagasapapathy, Advocate

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.17 of 2024 on the file of the Respondent
police.



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ORDER: The Court made the following order :-

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The petitioner, who apprehends arrest at the hands of the respondent Police for the alleged offence under Sections 66D of Information Technology (Amendment) Act, 2008 and Section 420 of IPC, in Crime No.17 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner received a sum of Rs.7,20,000/- from the defacto complainant for doing online trading business and thereby, cheated him. Hence, the complaint.

3. Heard the learned counsel on either side and perused the material records of the case.

4. Considering the nature of allegation in this case that the petitioner lured the defacto complainant to invest in online trading and he is said to have obtained a total sum of Rs.7,20,000/-, but however, repaid only a sum of Rs.3,21,000/- and considering the argument of the learned Counsel for the petitioner that the petitioner will deposit a sum of Rs.2,00,000/- to the credit of Crime No.17 of 2024, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.

5. Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of his arrest or 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.I, Madurai, on condition that the petitioner shall execute a bond for a sum of



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Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions 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) as undertaken, the petitioner shall deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs only) to the credit of Crime No.17 of 2024 before the Judicial Magistrate No.I, Madurai, without prejudice to his rights and contentions before the trial Court, within a period of four weeks from the date of receipt of a copy of this order and produce the receipt/acknowledgment before the concerned Court while executing sureties. Only upon deposit, the petitioner shall be enlarged on anticipatory bail

(c) the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

(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;



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(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 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]; and;

(g)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
16/10/2024

/ TRUE COPY /

/ 11 /2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

JBR

TO

1 THE JUDICIAL MAGISTRATE
NO.I, MADURAI.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE
CYBER CRIME POLICE STATION, CCB III, CR. NO. 17/2024, MADURAI CITY.



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4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to SUBASH LAW OFFICE Advocate SR.No.12617(I) dated 17/10/2024

ORDER
IN
CRL OP(MD) No.10087 of 2024
Date :16/10/2024

PSP/ MMS /SAR /18.11.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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