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Crl.O.P.No.773 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :23.01.2025

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

Crl.O.P.No. 773 of 2025

Kaleel Ahamed

.. Petitioner

Vs.

State by its
Inspector of Police,
State Cyber Crime Police
Ashok Nagar, Chennai – 83.
(Crime No.59 of 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.59
of 2024 on the file of the respondent.

For Petitioner : Mr.K.G. Senthilkumar

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

ORDER

Petition seeking bail in respect of Crime No.59 of 2024 registered for
the offences punishable under Section 318(4) of BNS, 2023 r/w Section 66D of
Information Technology (Amendment) Act, 2008 is on board for consideration.

2.The incarceration of the petitioner being from 08.12.2024 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 submits that
the petitioner is a native of Tirupur, where he was running a textile business. After



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suffering losses, he was lured by other accused and went to Cambodia for employment, where he was exploited by them. He also submits that the petitioner is in 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 petitioner had posted fake advertisement for Online Trading and the petitioner had asked the de facto complainant to transfer funds to various bank accounts and after receiving the amounts, cheated the de facto complainant of a sum of Rs.1,65,85,150/-. He further submits that there are six 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 XI Metropolitan Magistrate, Saidapet, Chennai and on further conditions that:



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[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 p.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;

[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.

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A.D.JAGADISH CHANDIRA, J.
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To

1. The XI Metropolitan Magistrate,
Saidapet, Chennai.
2. The Inspector of Police,
State Cyber Crime Police
Ashok Nagar, Chennai – 83.
3. The Superintendent,
Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.

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