



WEB COPY



Crl.O.P.No.1327 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.1327 of 2025

Sai Prashanth

... Petitioner/A2

Vs.

The State represented by,
The Deputy Superintendent of Police (CCD-I),
State Cyber Crime Investigation Center,
Ashok Nagar, Chennai – 83.
(Crime No.84 of 2024). ... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS,
pleaded to enlarge the petitioner on bail, in connection with the Crime
No.84 of 2024, pending investigation on the file of the respondent
Police.

For Petitioner : Ms.S.Sengkodi

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

ORDER

This Criminal Original Petition has been filed by the petitioner,
who was arrested and remanded to judicial custody on 13.12.2024,
seeking bail in Crime No.84 of 2024 registered for the offence under
Sections 111, 318(4), 319(2) of BNS r/w 66(D) of IT Act, 2008.



WEB COPY

2. The case of the prosecution is that the defacto complainant is a senior citizen and came in contact with one Samir Bhattacharya and on the promise of the said Samir Bhattacharya that he would earn huge amount by online trading, he had invested Rs.11,42,23,092/-; and that the said Samir Bhattacharya had cheated the defacto complainant of the said amount. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the allegation against the petitioner herein is that he had handed over the account number created by the co-accused one Sridhar to one Rajeev Dubeey of Malaysia, who was the friend of Samir Bhattacharya; that he had not gained anything out of the transaction; and that in any case, further custody is not required. He further submitted that the co-accused Sridhar was granted bail by this Court on 23.01.2025 in Crl.O.P.No.1565 of 2025 and prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and confirmed the fact



that the co-accused has been granted bail by this Court.

WEB COPY

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. Considering the nature of allegations, period of incarceration, the fact that the co-accused has been granted bail, there is no allegation of any monetary gain by the petitioner, and since further custody is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions.

7. 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.**

[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



Crl.O.P.No.1327 of 2025

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;

[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 B.N.S.

17.02.2025

ars



WEB COPY



Crl.O.P.No.1327 of 2025

SUNDER MOHAN., J.

ars

To

1. The XI Metropolitan Magistrate,
Saidapet.
2. The Deputy Superintendent of Police (CCD-I),
State Cyber Crime Investigation Center,
Ashok Nagar, Chennai – 83.
3. The Superintendent,
Central Prison-II, Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.1327 of 2025

17.02.2025