



Crl.O.P.No.2295 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2025

CORAM

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

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1. Sharma Bansilal
2. Sharma Sunilkumar

... Petitioners

Vs.

The State Represented by,
The Inspector of Police,
Cyber Crime Police Station, CCD-III,
Perambalur.
(Crime No.06 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioners on bail, in connection with Crime No.06 of 2024, pending investigation on the file of the respondent Police.

For Petitioners : Mr. M. Vijaya Ragavan

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



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WEB COPY

ORDER

Petition seeking bail in respect of Crime No.06 of 2024 registered for the alleged offences punishable under Section 66D of Information Technology Act, 2010 and Section 420 of IPC, 1860, is on board for consideration.

2. Learned counsel appearing for the petitioners submitted that the petitioners are brother, who are innocent and they have been falsely implicated in this case. He also submitted that the petitioners are in custody from 25.12.2024 and the petitioners are also ready to abide by any other stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioners.

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 to the petitioners is that, the petitioners herein are brother, who had colluded with other accused persons created fake companies and opened bank accounts and induced the defacto complainant one Selvakumari, on false assurance of gaining high profits and made her to



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invest his money to the tune of Rs.63,00,000/- in online share marketing business, thereafter cheated the defacto complainant. On enquiry, it is found that the petitioners herein along with other accused have money laundering cases, pending in 13 states, thereby cheated several persons by instigating them to open current bank accounts, collected the bank accounts from them and misused their bank accounts by means of fraudulent transactions, for the purpose of gaining commission from those illegal transactions. He also submitted that the petitioners belongs to State of Gujarat and the investigation is still pending.

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

5. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsels on either side and considering the period of incarceration, this Court is inclined to grant bail to the petitioners with certain conditions.



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6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties (out of which, one surety shall be a blood related surety/ wife of the petitioners, who shall furnish permanent residence in Gujarat)**, each for a like sum to the satisfaction of the **learned Judicial Magistrate No.2, Perambalur** 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 petitioners shall report before the respondent Police everyday at 10.30 a.m., until further orders;

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

30.01.2025

stn

To

1. The Learned Judicial Magistrate No.2,
Perambalur.
2. The Inspector of Police,
Cyber Crime Police Station, CCD-III,
Perambalur.
3. The Superintendent,
Central Prison,
Trichy.



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4. The Public Prosecutor,
High Court of Madras.

A.D.JAGADISH CHANDIRA, J.

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