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Crl.O.P.No.6259 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.6259 of 2025

Johnson Angelo

...Petitioner/Accused 1

Vs.

State rep by
The Inspector of Police,
CBCID, Metro-Chennai,
Egmore, Chennai – 600 008.

(Crime No.1 of 2025)

... Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.1 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.A.Abdul Hameed
Senior Counsel
for J.Hasheem Sindha Batcha

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

ORDER



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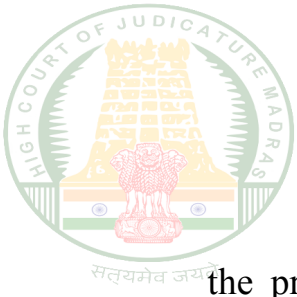
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This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 07.02.2025, seeking bail in Crime No.1 of 2025 registered for the offence under Section 14B of the Foreigners Act and Sections 111(2)(b) and 351(2) of BNS, 2023.

2.It is the case of the prosecution that the petitioner, who is the Srilankan National, reached India on 03.02.2025 on suspicion, the immigration officials detained him for enquiry; that on enquiry, it was revealed that he had visited India for the purpose of committing an online scam by threatening gullible persons stating that they are guilty of child pornography and by extorting money from them. Hence, the case.

3.The learned Senior Counsel for the petitioner would submit that the allegations against the petitioner are false; that even according to the prosecution, there was an attempt made by the petitioner and the petitioner has no bad antecedents and that in any case, considering the nature of allegations and the period of incarceration, sought for bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated



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the prosecution case and submitted that it was found from them mobile phone of the petitioner that the petitioner had threatened the customers by accusing them of child pornography and received money.

5.In response, the learned Senior Counsel submitted that though the mobile phone was seized, the mobile number used by the petitioner for sending the whatsapp messages has not been mentioned in the FIR and that in any case, his further custody is not required.

6.Considering the nature of allegations against the petitioner, the fact that even according to the prosecution it is a case of attempt to commit online scam in India and that the petitioner has no bad antecedents, this Court is of the view that further custody of the petitioner is not required. Hence, this Court is inclined to grant bail to the petitioner subject to the following conditions:

7.Accordingly, the petitioner is ordered to be released on bail on his



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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 Judicial Magistrate No.I, Chengalpattu**, and on further conditions that:

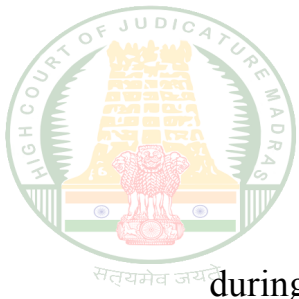
[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent Police, everyday at 10.30 a.m., until further orders;

[c] Since the petitioner is a Srilankan national, the respondent shall communicate the order of granting bail, to the concerned Registration Officer appointed under Rule 3 of Registration of Foreigners Rules, 1992 as per the decision of the Hon'ble Supreme Court in Frank Vitus vs. Narcotics Control Bureau and others in Crl. Appeal Nos.2814-2815 of 2024 dated 06.01.2025.

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

[e] the petitioner shall not tamper with evidence or witness either



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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 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 B.N.S.

10.03.2025

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SUNDER MOHAN, J.



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Copy to:

- 1.The Inspector of Police,
CBCID, Metro-Chennai,
Egmore, Chennai – 600 008.
- 2.The Judicial Magistrate No.I, Chengalpattu.
- 3.The Superintendent of Prison,
Central Prison, Puzhal, Chennai.
- 4.The Public Prosecutor,
High Court, Madras.

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