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CRL OP No. 7438 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 7438 of 2025

1. R.Pandiyan

Son Of Ravi, No.8, Pillaiyar Kovil
Street, Singaravadi Village, Kadalady
Post, Thiruvannamalai District -
606908.

Petitioner(s)

Vs

1. State Rep. By Its

The Inspector Of Police, Cyber Crime
Police Station, Gorimedu, Puducherry -
605 006. Crime No.46 Of 2023

Respondent(s)

PRAYER

To enlarge the petitioner on bail in the event of arrest in Crime No.46 of 2023 on the file of respondent police pending investigation and thus render justice.

For Petitioner(s): M/s.L.Preethi

For Respondent(s): Public Prosecutor (Puducherry)

**ORDER**

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The petitioners, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 420, 506 of IPC and 67, 67A of IT Act 2000 in Crime No.46 of 2023 on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant took a loan through instant loan apps; that he repaid it within time, but was later harassed by the app representatives who claimed that there were pending dues; that they also threatened to share his morphed obscene pictures in social media, if he did not make further payment and collected an excess amount of Rs.2,99,587/-, and thus, committed cheating.

3. Learned counsel appearing for the petitioner submitted that he was not aware of the alleged crime and subsequently, on coming to know that a sum of Rs.7001/- was credited to his account, he transferred the money to the defacto complainant's account and in any case, the custodial interrogation of the petitioner is not required and sought anticipatory bail to the petitioner.



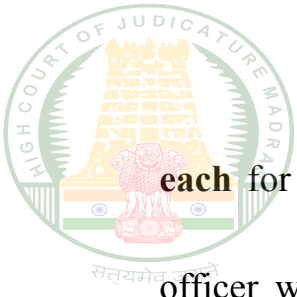
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4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and confirmed that that petitioner had sent a sum of Rs.7001/- to the defacto complainant.

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

6. Considering the aforesaid facts, the nature of allegations; stage of investigation, and since custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Chief Judicial Magistrate, Puducherry, on condition that the petitioner shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) with two sureties**



each for a like sum to the satisfaction of the respondent police or the police

officer who intends to arrest or to the satisfaction of the learned Magistrate

concerned, failing which, the petition for anticipatory bail shall stand dismissed

and on further condition 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] the second petitioner shall appear before the respondent police as and when required for interrogation.

[c]the petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner shall not abscond 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 petitioners 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



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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.

28-04-2025

Jai

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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- 1.State Rep. By Its
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Police Station, Gorimedu, Puducherry -
605 006. Crime No.46 Of 2023.
2. The Chief Judicial Magistrate,
Puducherry.
3. The Public Prosecutor,
Madras High Court.



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SUNDER MOHAN J.

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