



Crl.O.P.No.8173 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 20.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.8173 of 2025

Mohan

... Petitioner/ Accused No.2

Vs.

State Rep. By,
The Inspector of Police,
CCD-II, Tiruvallur Police Station,
Tiruvallur District. (Crime No.3 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail, in connection with Crime No.3 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr. M. Mariappan

For Respondent : Mr. J. R. Archana
Government Advocate (Crl. Side)



CrI.O.P.No.8173 of 2025

ORDER

WEB COPY

Petition seeking bail in respect of Crime No.3 of 2025 registered for the alleged offences punishable under Section 420 of IPC and Section 66 D of the Information Technology (Amendment) Act, is on board for consideration.

2. The case of the prosecution is that the defacto complainant approached the accused through the advertisement in Facebook page for a loan; that the petitioner along with A1 induced the defacto complainant to pay a sum of Rs.12 lakhs through G-pay and further a sum of Rs.50,000/- towards service charges; that the petitioner had asked the defacto complainant to transfer the said amount to the account of A1 and thus committed the aforesaid offence; and that the petitioner was remanded to judicial custody on 31.01.2025.

3. The learned counsel appearing for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case and has not committed any offence as alleged by the prosecution; that the petitioner has been arrested and remanded to judicial custody on 31.01.2025; and that the petitioner has not received any amount and he is ready to abide by any



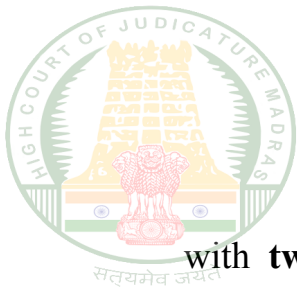
Crl.O.P.No.8173 of 2025

stringent condition that may be imposed by this Court and to appear and co-operate for the investigation, and prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent reiterated the prosecution case and produced the copy of the FIR and on instruction submitted that the petitioner is arrayed as A2 in this case; that the petitioner along with other accused had induced the defacto complainant and the amount was transferred to the account of A1 through G-pay ; and that the investigation is pending.

5. Taking into consideration the facts and circumstances of the case, considering the nature of allegation against the petitioner, the submissions made by the learned counsels on either side, the period of incarceration undergone by the petitioner and since further custody of the petitioner is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions.

6. 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**

WEB COPY

Judicial Magistrate-II, Tiruvallur 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] 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];



CrI.O.P.No.8173 of 2025

WEB COPY

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

20.03.2025

stn

To

1. The Judicial Magistrate-II,
Tiruvallur.
2. The Inspector of Police,
CCD-II, Tiruvallur Police Station,
Tiruvallur District. (Crime No.3 of 2025)
3. The Superintendent,
Central Prison-II, Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.8173 of 2025

SUNDER MOHAN, J.

stn

Crl.O.P.No.8173 of 2025

20.03.2025