



Crl.O.P.No.8835 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.04.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.8835 of 2025

Hariharan

...Petitioner/Accused

Vs.

State rep by
The Inspector of Police,
Cyber Crime Police Station,
North Zone, Chennai.

(Crime No.01 of 2025)

...

Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioners on bail in Crime No.01 of 2025 on the file of the respondent police.

For Petitioners : Mr.G.Nirmal Krishnan

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



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ORDER

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This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 12.02.2025, seeking bail in Crime No.01 of 2025 registered for the offence under Section 318 of BNS, 2023 r/w 66D of IT Act, 2008.

2.It is the case of the prosecution that the defacto complainant, on the threat made by the one of the accused that she was under arrest and her properties are likely to be attached, had transferred a sum of Rs.12,80,000/- to the account of the petitioner and thus cheated the defacto complainant. Hence, the case.

3.The learned counsel for the petitioner would submit that the allegations are false; that the petitioner has nothing to do with the alleged cheating and he had only given his amount number to the co-accused which was misused by the co-accused and that in any case, considering the period of incarceration, further custody is not required and sought for bail.



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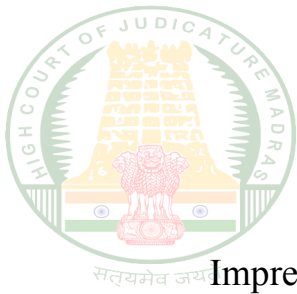
4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and confirmed that the petitioner's account was operated by the main accused, Tirumalai Balaji and that the petitioner had received only a portion of the amount.

5.Heard the learned counsel on either side and perused the materials available on record.

6.Considering the nature of allegations against the petitioner, period of incarceration, this Court is of the view that further custody of the petitioner is nor required. Hence, 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 their 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 **XI Metropolitan Magistrate, Saidapet**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb



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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]***;

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

02.04.2025

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SUNDER MOHAN, J.



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Copy to:

- 1.The Inspector of Police,
Cyber Crime Police Station,
North Zone, Chennai.
- 2.The XI Metropolitan Magistrate, Saidapet.
- 3.Central Prison, Puzhal, Chennai.
- 4.The Public Prosecutor,
High Court, Madras.

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