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CrI.O.P.No.17607 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.17607 of 2025

S.B.Maileshwaran

... Petitioner/A1

Vs.

The State rep
by The Inspector of Police,
Cyber Crime Wing-II
Salem.
(Crime No.16 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending investigation in Crime No.16 of 2025 on the file of the respondent police.

For Petitioner : Mr.T.Gnana Banu

For Respondent : Mr.R.Vinothraja
Government Advocate (CrI.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 10.05.2025, for the offences punishable under Section 318 of BNS, 2023 and Section 66D of Information Technology (Amendment) Act, 2008 in



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connection with Crime No.16 of 2025, registered on the file of the
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respondent, seeks bail.

2.This Court, on 19.06.2025, had passed the following order:

“The contention of the learned counsel for petitioner is that petitioner is II year college student doing B.Sc. CT in Hindustan College, Coimbatore. The petitioner’s account has been misused by an unknown persons and through his accounts huge sums of money transacted, which is now projected against the petitioner. According to the petitioner, an amount of Rs.25,000/- alone credited to the petitioner’s account.

2.The learned Government Advocate (Crl. Side) appearing for the respondent police opposed the petitioner’s contention and submitted that there are two accused in this case. The petitioner and A2 both are college students. Both were came in contact with the unknown person, shared their bank details and facilitated the amount for job racketing, collected huge sums of money from various persons throughout India and transacted in the bank account. In this case, a sum of Rs.9,42,339/- have been transacted. The petitioner is a King Pin along with other accused and no amount recovered. In this case, investigation is in progress, further investigation is required. Now letting out the petitioner would affect the progress of the trial. There are also information to be collected from other parts of the India, namely, Gujarat, Karnataka, Maharashtra and Punjab. He further submitted that A1 and A2 arrested and some persons involved in



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this case to be traced.

3.The learned counsel for petitioner seeks some time to get further instructions and advance his arguments. In the meanwhile, the learned Government Advocate to find out the trail of account from which, the amount has been received by the petitioner and which account it has been forwarded and who are the beneficiaries, all details to be filed.

4.Post on 26.06.2025.”

3.In continuation to the earlier order passed by this Court on 19.06.2025, today, the learned counsel for the petitioner submitted that the petitioner's parents are ready and willing to deposit a sum of Rs.2,00,000/- to the credit of the Crime No.16 of 2025 without prejudice to the petitioner's right of defence in the above case.

4. Considering the fact that the petitioner is a college student and the submission that the petitioner's parents are willing to deposit an amount of Rs.2,00,000/- to the credit of Crime No.16 of 2025, this Court is inclined to grant bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is directed to deposit a sum of **Rs.2,00,000/- [Rupees Two lakhs only]** to the credit of Crime No.16 of



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2025 before the trial Court, on such deposit and production of proof, the petitioner is ordered to be released on bail on his executing a 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 learned **Judicial Magistrate No.III, Salem. On such deposit being made, the trial Court shall redeposit the said amount in an interest bearing account** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs 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 make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de-facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned



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conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

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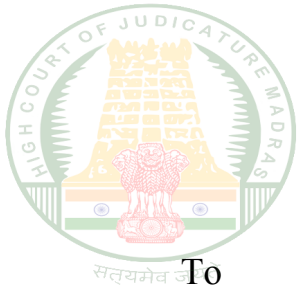
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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

M.NIRMAL KUMAR, J.

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To
1.The Judicial Magistrate No.III,
Salem.

2.The Inspector of Police,
Cyber Crime Wing-II
Salem.

3.The Superintendent,
Central Prison, Salem.

4.The Public Prosecutor,
High Court of Madras.

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