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CRL OP NO. 17729 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 18-09-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR
CRL OP NO. 17729 of 2025

Nawaskhan P.

...Petitioner

Vs

State Rep by its,
The Inspector of Police,
Cyber Crime Police Station (East Zone)
Greater Chennai Police
Chennai-600 031
Crime No. 13 of 2023.

....Respondent(s)

Criminal Original Petition filed under Section 482 of BNSS, Act, 2023 praying to enlarge the petitioner in the event of his arrest by the respondent police in pursuant to the FIR in Crime No. 13 of 2023 on the file of the respondent police.

For Petitioner(s): Mr.R.Joe Anand

For Respondent(s): Mr.S.Udayakumar

Government Advocate [Criminal Side]

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420, 463, 468, 469 of IPC r/w sections 43(h) and 65 of the Information Technology Act, 2000 in Crime No. 13 of 2023 on the file of the respondent Police, seeks anticipatory bail.

2.The allegation against the petitioner is that the de-facto complainant



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is the Managing Director of M/s.Smart Training Resources India Pvt Ltd., engaged in the business of providing placement training services to students and recruiting employees from various colleges. The company used the email ID hr.smarttraining@gmail.com for sending offer letters and corresponding with colleges. On March, 2023, the company recruited employees from Stella Maris College, Chennai and Nehru College of Engineering, Coimbatore. One Mrs.Renuga, was working as an HR Recruiter and having access to the said email ID, resigned on 11.04.2023. Thereafter, the said company had changed the password of the said email ID on 12.04.2023. While so, on 19.04.2023, staff from Nehru College is said to have informed the company that they had received an email from the above ID stating that the company would no longer conduct interviews with them as they were not interest. Similarly, a candidate from Stella Maris College is alleged to have informed of receiving an email from the same ID stating that her offer was declined. It is alleged that the company sent such mails and thereby someone is alleged to have unauthorized access to the email account, sent misleading emails, causing loss and defamation to the company. Hence the case.

3. The learned counsel for the petitioner submits that the petitioner



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was formerly employed with the de-facto complainant from 20.01.2022 until he resigned and he was relieved on 02.02.2023. The petitioner relieved from the company of the de-facto complainant after duly serving proper notice. He further submits that the petitioner has been falsely implicated in this case. He further submits that he has not committed any offence as alleged by the prosecution. He also submits that the petitioner is ready to abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for his release. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submits that investigation has been pending. However, he opposed for grant of anticipatory bail to the petitioner.

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

6. Considering the facts and circumstances of the case and submissions made by learned counsels on either side and considering the fact that the allegation levelled against some other person and the said occurrence had taken place in the year 2023, this Court is inclined to grant



anticipatory bail to the petitioner with certain conditions.

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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 **Additional Chief Metropolitan Magistrate, Egmore, Chennai-8**, on condition that the petitioner shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) If the petitioner fails to surrender before the concerned Magistrate, within a period of fifteen days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[b] 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;

[c] the petitioner shall report before the respondent Police daily at 10.30 a.m for a period of



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**one week and thereafter, as and when required for
interrogation;**

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court themselves as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;

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

18.09.2025

MSM

To

1.The Additional Chief Metropolitan Magistrate,

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Egmore, Chennai-8,

2. The Inspector of Police,

Cyber Crime Police Station (East Zone)

Greater Chennai Police

Chennai-600 031

Crime No. 13 of 2023.

3. The Public Prosecutor, High Court of Madras.

K.RAJASEKAR, J.



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