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CrI.O.P.No.17930 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2025

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.17930 of 2025

1.Vinoth

2. Vigneshwaran

... Petitioners

Vs.

State by:-

The Sub Inspector of Police,

Cyber Crime (CCD-II) P.S.

Tiruvannamalai.

(Crime No.22 of 2025)

... Respondent

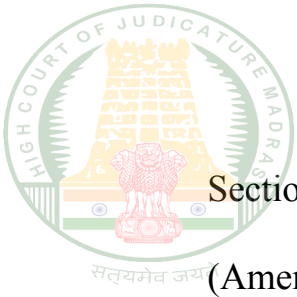
PRAYER: This Criminal Original Petition has been filed under Section 483 of BNSS to enlarge the petitioners on bail in Crime No.22 of 2025 on the file of the respondent police.

For Petitioners : M/s.J.Madhumitha
For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

For Intervenor : Mr. M.Mariyappan

ORDER

This Criminal Original Petition has been filed by the petitioners, who were arrested and remanded to judicial custody on 03.06.2025, seeking bail in Crime No.22 of 2025 registered for the offence under



Sections 318(4) of BNS and Section 66D of Information Technology
(Amendment) Act, 2008.

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2.The case of the prosecution is that on 22.07.2024 at about 07.05.a.m., when the wife of the defacto complainant received a message regarding Trading from the Whatsapp and accepted by the defacto complainant, hence the petitioners opened an account in the defacto complainant's name and also asked the defacto complainant to convert the money into USDT to invest in Trading and hence the defacto complainant transferred the amount of Rs.5,00,000/- from his brother-in-law namely Satyanaraya's account, but the petitioners did not give him USDT for the money for a long time and hence thereby they cheated the defacto complainant to the tune of Rs.5,00,000/-. Hence, the case.

3.Learned counsel appearing for the petitioners submitted that the the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he prayed for grant of bail to the petitioners.



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4.Learned Additional Public Prosecutor appearing for the respondent police, reiterated the prosecution case and opposed for grant of bail to the petitioners.

5. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. Today, the learned counsel for the petitioner produced the demand draft in favour of the defacto complainant for a sum Rs. 5 lakhs and the same was handed over to the defacto complainant. In view of the same, this Court is inclined to grant bail to the petitioners with certain conditions.

7.Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties (out of which, one shall be a blood related surety)**, each for a like sum to the satisfaction of the **learned Judicial Magistrate No.2, Tiruvannamalai** and on further conditions that:



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[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 petitioners shall report before the respondent police daily at 10.30.a.m., for a period of two weeks and thereafter as and when required for interrogation.

[c] the petitioners shall not abscond either during investigation or trial;

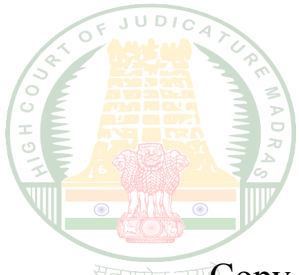
[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 of B.N.S.

23.06.2025

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1. The Judicial Magistrate,
No.2, Tiruvannamalai.
2. The Sub Inspector of Police,
Cyber Crime (CCD-II) P.S.
Tiruvannamalai.
3. The Superintendent,
Central Prison, Vellore.
4. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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