



Crl.O.P.No.18316 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.18316 of 2025

Karthikraja S.

... Petitioner/A4

Vs.

State Rep by
The Inspector of Police,
SCCIC, Cyber Crime Wing I Police Station,
Chennai District.

... Respondent

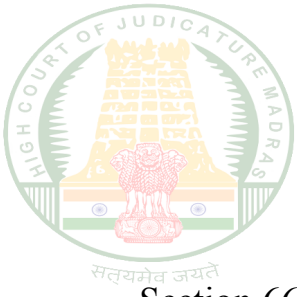
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in connection with Crime No.23 of 2025 pending on the file of the respondent police.

For Petitioner : Mr.K.Rajendra Prasad

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 10.05.2025, for the offences punishable under Sections 318(4) of BNS, 2023 and

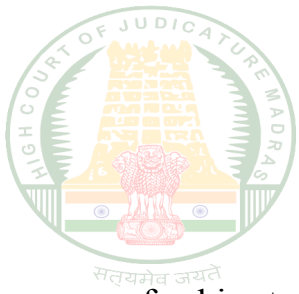


CrI.O.P.No.18316 of 2025

Section 66D of I.T. Act, 2008 in connection with Crime No.23 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the de-facto complainant is a retired Chief Personal Assistant in BHEL, Ranipet and his wife is working as a Tamil Teacher in Kingston CBSE school. On 02.12.2024, the de-facto complainant received a whatsapp call, in which a person introduced himself as a police personnel from NSI Ashok Nagar Police Station, Bangalore and informed that in the de-facto complainant's bank account some money has been credited, which was proceeds from human trafficking. Further, the officer threatened the de-facto complainant and asked for money to cancel the arrest warrant against him. Believing his words, the de-facto complainant transferred a sum of Rs.81,68,000/- and thereafter there was no response. The de-facto complainant verified the accounts and realised that he was cheated. Hence, the complaint.

3. The learned counsel for the petitioner fairly submitted that this Court on 10.06.2025 dismissed the petitioner's bail application. The urgency for filing the second bail application is that the petitioner, who is a physically challenged person, is a victim of circumstances due to his relationship. His son completed his 10th standard and he has to join a good school and this is a surmountable period

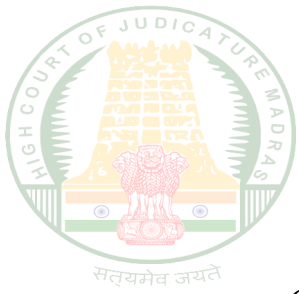


Crl.O.P.No.18316 of 2025

for him to select a good school for his future. A1 in this case is none other than the wife of petitioner and A2 is his brother-in-law of the petitioner. They have some role in this case, for which, the petitioner has been penalised. Unless he comes out and guides his son in choosing a good school, his son's future would be jeopardised and he is the elder son in the family. Hence, he prays to grant bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that the earlier bail application was dismissed by this Court on 10.06.2025 and there is no change of circumstances, but he has not denied about the petitioner's son completing his school education successfully in the 10th standard. He further submitted that the petitioner's wife and brother-in-law are the main accused in this case. If the petitioner makes some deposit, his bail application can be considered in this case.

5. At this juncture, the learned counsel for the petitioner submitted that the petitioner, in order to show his bonafide, is ready and willing to deposit a sum of Rs.3,00,000/- to the credit of the Crime No.23 of 2025 without prejudice to his right of defence in the above case.



Crl.O.P.No.18316 of 2025

WEB COPY

6. Considering the submissions made on either side and on perusal of the material it is seen that the petitioner is a handicapped person and his wife and brother-in-law accounts were primarily used in the transaction in the above case. The petitioner's son has completed his 10th standard with good marks, he has to select a good school for his future and at the surmountable age of his career both the parents are inside the prison. It will be difficult for the son to choose a school and also to concentrate on studies. Further the petitioner is willing to deposit an amount of Rs.3,00,000/- to the credit of Crime No.23 of 2025, hence, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is directed to deposit a sum of **Rs.3,00,000/- [Rupees Three lakhs only]** to the credit of Crime No.23 of 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 **XI Metropolitan Magistrate at Saidapet. On such deposit being made, the trial Court shall redeposit the said amount in an interest bearing account** and on further conditions that:



WEB COPY



CrI.O.P.No.18316 of 2025

[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 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]**;



CrI.O.P.No.18316 of 2025

WEB COPY

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

26.06.2025

rsi

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.

To

- 1.The XI Metropolitan Magistrate,
Saidapet.
- 2.The Inspector of Police,
SCCIC, Cyber Crime Wing I Police Station,
Chennai District.
- 3.The Superintendent,
Central Prison,
Puzhal, Chennai.
- 4.The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.18316 of 2025

M.NIRMAL KUMAR, J.

rsi

Crl.O.P.No.18316 of 2025

26.06.2025