



Crl.O.P.No.18527 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.18527 of 2025

1.T.Premkumar

2. B.Prabhakaran

... Petitioners/A3 & A4

Vs.

The State represented by
The Inspector of Police,
CCD-III, Police Station,
Nagapattinam District.
(Crime No.04 of 2025)

... Respondent

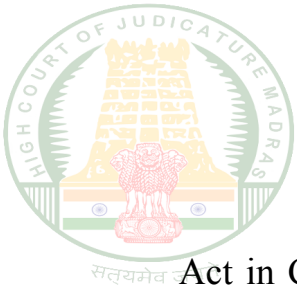
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail pending
investigation in Crime No.04 of 2025 on the file of the respondent police.

For Petitioners : Mr.V.Maharajan

For Respondent : Mr.R.Vinoth Raja
Government Advocate(Crl. Side)

ORDER

The petitioners, who were arrested and remanded to judicial
custody on 12.05.2025, for the offence punishable under Sections 318(4) of
BNS read with Section 66 D of the Information Technology (Amendment)



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Act in Crime No.04 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioners along with other accused have fraudulently cheated the defacto complainant by posting fake advertisement of sale of Royal En field GT -650 and KTM bikes on the OLX website and received a sum of Rs.2,85,000/-. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons, they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that the petitioners without prejudice to their defence are ready and willing to deposit a sum of Rs.15,000/- each to the credit of Crime No.04 of 2025. Hence, he prayed for grant of bail to the petitioners.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioners, reiterated the prosecution case.

5. Heard both sides and perused the materials available on record.



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6. Considering the facts and circumstances of the case, submissions made by the learned counsels on either side, this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners shall **deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) each to the credit of Crime No.04 of 2025, and on such deposit,** 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**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.I, Nagapattinam** 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 petitioners shall report before the respondent police daily at 10.30.a.m., for a period of three weeks and thereafter as and when required for interrogation;

[c] the petitioners shall make himself available



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for interrogation by a Police Officer as and when required;

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

[e] the petitioners 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 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 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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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



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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 Judicial Magistrate No.I, Nagapattinam
- 2.The Inspector of Police,
CCD-III, Police Station,
Nagapattinam District.
- 3.The Central Prison,
Nagapattinam
- 4.The Public Prosecutor,
High Court of Madras.

M.NIRMAL KUMAR, J.

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