



Crl.O.P.No.19005 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.19005 of 2025

M.K.Ajeethkumar

.. Petitioner

Vs.

State rep. by

Inspector of Police

CCD-II

Tiruvallur Police Station

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner on bail in Crime No.6 of 2025 pending on the file of the respondent police.

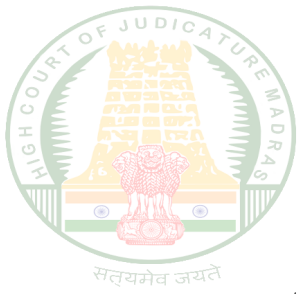
For Petitioner : Mr.S.Marimuthu

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 03.06.2025, for the offence punishable under Section 318(4) of BNS r/w 66 D of IT Act in connection with Crime No. 6 of 2025 registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the defacto complainant invested

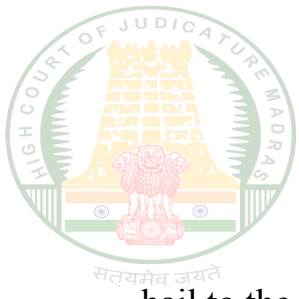


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an amount of Rs.11,09,600/- through online trading through various accounts and she was unable to withdraw the promised return. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that the petitioner is in no way connected with the alleged offence, however, he is suffering incarceration from 03.06.2025. It is the contention of the petitioner that petitioner's bank account has been used by other accused without his knowledge and an amount of Rs.88,800/- has been transacted through his account. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that petitioner/A1 was arrested on 03.06.2025. In this case, there are totally 17 accounts have been involved and the petitioners' bank account was used as the first layer account. Through the said account, an amount of Rs.88,800/- had been transacted. He further submits that the case pertains to an online fraud and so far, a total of Rs.11,09,600/- has been transacted through 17 transactions involving 6 accounts. Hence, he strongly opposed to grant



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bail to the petitioner.

5. At this juncture, the learned counsel for the petitioner submitted that without prejudice to his contentions, the petitioner is willing to deposit a sum of Rs.88,800/- to the credit of crime number.

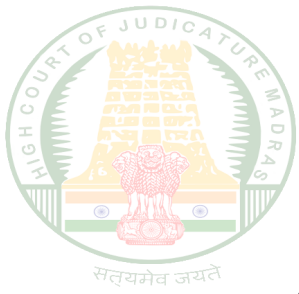
6. Heard both sides and perused the materials available on record.

7. Considering the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side and considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

8. Accordingly, 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-II, Tiruvallur** 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 is directed to deposit a sum of Rs.88,800/- (Rupees Eighty Eight Thousand Eight Hundred only) to the credit of Crime No.6 of 2025 and shall produce**



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the proof of payment before the learned Magistrate concerned at the time of executing the sureties. The learned concerned magistrate shall deposit the same in the interest bearing fixed deposit scheme in any one of the nationalised banks.

[c] the petitioner 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;

[d] The petitioner shall make himself available for interrogation by a Police Officer as and when required;

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

[f] 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;

[g] 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];**



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[h] 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 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-II, Tiruvallur
2. Inspector of Police
CCD-II
Tiruvallur Police Station
3. The Superintendent,
Puzhal Prison, Chennai.
4. The Public Prosecutor,
High Court, Madras.

M.NIRMAL KUMAR, J.

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