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CRL OP No. 19157 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-07-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 19157 of 2025

A.Sivaganeshan

Petitioner(s)

Vs

State rep by its Inspector of Police
CCW-Tiruppur -Police Station,
Cyber Crime Wing-II,
Tiruppur District.
Cr.No.49 of 2023

Respondent(s)

PRAYER

This Criminal Original Petition is filed under 483 of BNSS to enlarge the petitioner on bail in connection with the case in Cr.No.49 of 2023 pending investigation on the file of the respondent police

For Petitioner(s): Mr.D.Raghu

For Respondent(s): Mr.R.Vinothraja, GA (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 04.06.2025, for the offences punishable under Sections 420 of IPC and Section 66D of Information Technology Act in connection with Crime No.49 of 2023



registered on the file respondent, seeks bail.

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2. The case of the prosecution is that that petitioner along with other accused pretending themselves as the recruiter of job and alleged to have tantalized the defacto complainant through online under the guise of securing a part time job and deceived to a tune of Rs.27,64,666/-. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. The learned counsel further submitted that the petitioner is only an employee of A3 and that he has nothing to do with the alleged crime and he is suffering incarceration from 04.06.2025, and he is ready to furnish sufficient sureties for his release on bail. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and on instructions submitted that the case is under investigation, at this stage, if the petitioner is released on bail, there are every possibilities for tampering the witnesses and hampering the investigation,



thereby, he strongly opposed to grant bail to the petitioner.

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

6. Considering the facts and circumstances of the case, the overtact leveled against this petitioner, submissions made by the learned counsels on either side, and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

7. 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 No.III, Tiruppur** 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;



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[b] the petitioner shall report before the respondent Police, everyday at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation;

[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;

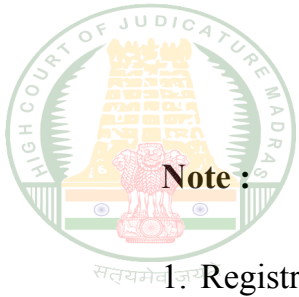
[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[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]**;

[f] 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
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1. The Inspector of Police
CCW-Tiruppur -Police Station, Cyber
Crime Wing-II, Tiruppur District.
2. The Judicial Magistrate Court
No.III, Tiruppur.
3. The Sub Jail, Tiruppur.
4. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR J.

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