



Crl.O.P.No.19605 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.19605 of 2025

Wilson Dominic Xavier

... Petitioner

Vs.

The State represented by
The Inspector of Police,
Cyber Crime Police Station,
Thiruvannamalai District.

Crime No.6 of 2025

... 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 on the file of the respondent.

For Petitioner : Mr.A.Anandharaj
For Respondent : Mr.Leonard Arul Joseph Selvam
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 420 of I.P.C and
Section 318 (4) of B.N.S. and Section 66 D of Information Technology
(Amendment) Act 2008, in Crime No.6 of 2025, registered on the file of the



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respondent, seeks bail.

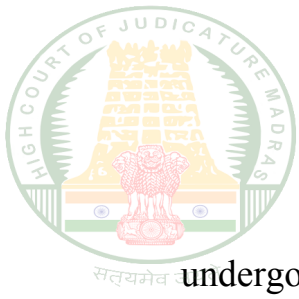
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2.The case of the prosecution is that the petitioner along with other accused had received a sum of Rs.29,64,200/- from the defacto-complainant on promise of getting loan. Thereafter, the petitioner neither returned the money nor obtained loan for the defacto-complainant and cheated the defacto-complainant. Hence, the case.

3.Without going into the merits of the case, the petitioner now arrived at an understanding with the defacto-complainant and agreed to pay a sum of Rs.8,00,000/- today and the balance amount of Rs.6,00,000/- on or before 21.08.2025. Today, the defacto-complainant as well as the petitioner's sister both are present. The petitioner's sister filed an affidavit confirming the deposit of Rs.8,00,000/- to the defacto-complainant's Bank account and the bank transfer details. The same was confirmed by the defacto-complainant.

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

6.Considering the facts and circumstances of the case, the submissions made by the learned counsels on either side and the period of incarceration



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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 - II, Tiruvannamalai**, and on further conditions that:

a) After coming out on bail, the petitioner shall file an affidavit within a period of one week, confirming the payment of balance amount of Rs.6,00,000/- to be paid on or before 21.08.2025.

[b] 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;

[c] the petitioner shall report before the respondent Police daily at 10.30.a.m., for a period of two weeks; 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



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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]**;

[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.



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To

- 1.The Judicial Magistrate II,
Tiruvannamalai.
- 2.The Inspector of Police,
Cyber Crime Police Station,
Thiruvannamalai District.
- 3.The Superintendent of Police,
District Prison,
Tiruvannamalai.
- 4.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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