



Crl.O.P.No.20092 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2025

CORAM

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.20092 of 2025

Narayan Kumar Shah

... Petitioner

Vs.

The State rep. By
Sub-Inspector of Police,
Cyber Crime Police Station, CCD – III,
Kancheepuram District.

(Crime No.12 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.12
of 2025 on the file of the respondent Police.

For Petitioner : Mr.A.Thamarai Kannan

For Respondent : Mr.R.Vinothraja
Government Advocate (Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
04.06.2025 for the offences punishable under Sections 318(4) of the BNS, 2023
and 66D of Information Technology (Amendment) Act, 2008 in Crime No.12 of



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2025, on the file of the respondent, seeks bail.

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2. The case of the prosecution is that, on 18.10.2024, the petitioner contacted the defacto complainant via mobile phone, impersonating an official from Dhanalakshmi Finance Company and offered to sanction a loan of Rs.4,00,000/-. Upon gaining the trust of the defacto complainant, the petitioner allegedly collected Aadhaar and PAN card details through WhatsApp and then demanded Rs. 68,220/- as loan processing fees. Believing the representations, the defacto complainant transferred the said amount through UPI transactions from 19.10.2024 to 21.10.2024 to the petitioner's bank account. Later, the complainant realized it was a fraudulent act and filed a complaint.

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 04.06.2025. 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.



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4. The learned Government Advocate (Criminal Side) appearing for the respondent police, strongly opposes the bail and submits that the accused is involved in multiple cybercrime cases across the state. In the present case, he fraudulently collected Rs. 68,220/- under the guise of offering a loan and cheated the defacto complainant. He has also been implicated in other cybercrime cases involving substantial financial losses, and custodial interrogation is essential. Hence, the bail application may be dismissed.

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

6. Considering the submissions made by the learned counsel appearing on either sides and taking note of the nature of the allegations and taking note of 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. 1, Kanchipuram**, and on further conditions that:



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[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. 68,220/- (Rupees Sixty Eight Thousand and Two Twenty only) each to the credit of Crime No.12 of 2025 and shall produce 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



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regard;

[g] 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 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.

To

1. The Judicial Magistrate No. 1, Kanchipuram.
2. The Sub-Inspector of Police,
Cyber Crime Police Station, CCD – III,
Kancheepuram District.
3. The District Jail at Perurani, Thoothukudi.
4. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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