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CrI.OP.No.24894 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.09.2025

CORAM

THE HONOURABLE MR.JUSTICE **K.RAJASEKAR**

CrI.O.P.No.24894 of 2025

and

CrI.M.P.No.17484 of 2025

E.Selvam

... Petitioner

Vs.

State Rep. by

The Inspector of Police, Cyber Crime Police Station,

Kanchipuram District.

(Cr.No.22 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.22 of 2025 on the file of respondent police.

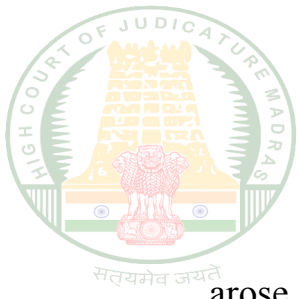
For Petitioner : Mr.R.Muralidharan

For Respondent : Mr.A.Gopinath
Government Advocate (CrI. Side)

For Intervenor : Mr.R.Ganesh Kumar

ORDER

The petitioner, who was arrested and remanded to judicial custody on
14.08.2025, for the offence punishable under Sections 318(4) of BNS, 2023
and 66 of the Information Technology (Amendment) Act, 2008, in Crime
No.22 of 2025, registered on the file of the respondent, seeks bail.



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2. The case of the prosecution is that the alleged amount in question arose from a financial transaction between one Balakumaran and the petitioner, where the petitioner had advanced a substantial sum for stock and cryptocurrency trading. A partial repayment was made through Mrs.Suganya's account as per the settlement understanding and as a result, the petitioner along with other accused cheated the defacto complainant to the tune of Rs.19,20,000/- Hence, the 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. However, he submitted that the petitioner is ready to deposit a sum of Rs.5,00,000/- to the credit of Crime number to show his bonafide. 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 submitted that the first accused is absconding. Hence, he opposed for grant of bail to the petitioner.

5. The learned counsel for the intervenor/defacto complainant strongly opposed for grant of bail to the petitioner.



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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, that A1 is absconding and that the petitioner is ready to pay Rs.5,00,000/- to the credit of the crime number to show his bonafide 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.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate Court-I, Kancheepuram** 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.5,00,000/- (Rupees Five Lakhs Only)** to the credit of **Crime No.22 of 2025** and shall produce the receipt before the Court concerned at the time of executing sureties.



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[c] the petitioner shall report before the trial Court everyday at 10.30 a.m., for a period of fifteen days and thereafter, on all hearing dates;

[d] 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]**;

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

9. Consequently, connected miscellaneous petition is closed.

17.09.2025

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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 Court-I, Kancheepuram.
2. The Inspector of Police, Cyber Crime Police Station, Kanchipuram District.
3. The Superintendent, Central Jail, Vellore.
4. The Public Prosecutor, High Court, Madras.

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K.RAJASEKAR J.

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