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Crl.O.P.No.28519 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2025

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THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.28519 of 2025

Mr.G.Pandiya Rajan

... Petitioner

Vs.

The State Rep. By,
The Inspector of Police,
Cyber Crime Cell,
CCD-1, Chennai.
Crime No.Unknown of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of BNSS Act, 2023, to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.Unknown of 2025 on the file of the respondent police.

For Petitioner : Mr.S.Tamizh Selvan

For Respondent : Mr.S.Udayakumar,
Government Advocate (Criminal Side)

ORDER

The petitioner herein apprehends arrest at the hands of the respondent police for the offence punishable under Sections 318(2), 318(3), 336(2), 336(3), 340(2), 316(4) and 61(2) of BNS and Sections 72-A, 66, 66-D of IT Act, 2000, and under Section 63-a, 65 of Copyright Act, 1957, in Crime No.Unknown of 2025, on the file of the respondent Police, seeks anticipatory



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bail.

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2. The allegation against the petitioner is that the petitioner was working as a Program Coordinator in the de facto complainant's company, which is engaged in providing classroom support to various educational institutions through different software applications. It is stated that during the year 2024, the petitioner resigned from the de facto complainant's company and subsequently began offering similar services to several of the de facto complainant's clients by using software and related materials belonging to the de facto complainant. This conduct came to the notice of the de facto complainant later, and it was alleged that the company lost several clients due to the petitioner's entry into the same line of business. Upon further enquiry, the de facto complainant discovered that their software had been misappropriated and that the petitioner was utilizing trade secrets, business ideas, client data, and other confidential information under the name "XYZA Studios / Syza Edutainment Private Limited." Hence the complaint has been lodged.

3. The learned counsel for the petitioner submitted that the co-accused



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have already been granted anticipatory bail by this Court in Crl.O.P.No.25660 of 2025 dated 07.10.2025. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner has been arrayed as A7 in this case. He further submitted that a complaint was received on 22.04.2025, pursuant to which an FIR was registered and investigation was carried out. During the course of investigation, it was revealed that some of the accused, particularly one Nithin Barath, had accessed the de facto complainant's software for the purpose of providing services to various clients. Hence, he opposed the grant of anticipatory bail to the petitioner.

5. I have considered the submissions made on both sides and also perused the materials available on record.

6. Considering the submissions made by the learned counsels on either side, and the fact that the this Court has already granted anticipatory bail to



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the co-accused in Crl.O.P.No.25660 of 2025, dated 07.10.2025, this Court is of the opinion that custodial interrogation is not necessary for effective investigation. Moreover, the de facto complainant has the ability to revoke and block any access previously granted to the petitioner, thereby preventing further misuse. In case of any continued infringement of software rights, the complainant may approach the competent authorities for appropriate action. Accordingly, I am inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of ten days from the date of receipt of a copy of this order, before the learned **XI Metropolitan Magistrate, Saidapet**, on condition that the petitioner shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition that:

[a] if the petitioner fails to surrender before the concerned Magistrate within a period of ten days from



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the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[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 three weeks, and thereafter as and when required for interrogation;

[d] 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]**;

K.RAJASEKAR, J.

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



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To

- 1.The XI Metropolitan Magistrate, Saidapet.
- 2.The Inspector of Police,
Cyber Crime Cell,
CCD-1, Chennai.
- 3.The Public Prosecutor,
High Court of Madras.

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