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Crl.OP.No.33940 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.33940 of 2025

1. Sundar @ Sundar Govindasamy
2. Madhavi @ Madhavi Ashok Kumar .. Petitioner/A1 and A2

Vs.

The State rep by

Inspector of Police,
Cyber Crime Police Station,
Kallakurichi District.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, to enlarge the petitioners on bail in the event of
arrest in Crime No.13 of 2025 on the file of the respondent.

For Petitioners : Mr.K.Pragadeesh Kumar

For Respondent : Ms.J.R.Archana
Government Advocate (Crl. Side)

ORDER

The petitioners, who apprehend arrest for the alleged offence under
Sections 318(4) BNS and Section 66D of Information Technology Act, 2000
in Crime No.13 of 2025, on the file of the respondent police seek
anticipatory bail.



2. The allegation against the petitioners is that the petitioners have acquainted with the defacto complainant through facebook and thereafter, they have exchanged contact numbers and communicated through phone calls and SMS. It is further alleged that over a period of time, the petitioners induced the defacto complainant to transfer a total sum of Rs.10,53,999/- through G-pay. Thereby, the petitioners have committed matrimonial fraud to the sum of Rs.10,53,999/-, which led to the registration of an FIR. Hence, the present case.

3. The learned counsel appearing for the petitioners submitted that though it is stated that Rs.10.64 lakhs have been received by the petitioners, they have also repaid the huge amount and false complaint has been lodged against the petitioners and they are ready to cooperate with the investigation. Hence, he prayed that anticipatory bail be granted to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and on instructions she has reported that the investigation reveals that the defacto complainant is also received back Rs.6.96lakhs from both A1 and A2 and investigation in this case is pending.



and that there are no previous cases against the petitioners. Hence, he opposed the grant of anticipatory bail to the petitioners.

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

6. Considering the nature of allegations and the defacto complainant is also received back Rs.6.96lakhs from the petitioners, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance within a period of fifteen (15) days from the date on which the order copy made, before the learned **Judicial Magistrate-I, Kallakurichi** on condition that each of the petitioners shall execute separate bonds for a sum of **Rs.20,000/- (Rupees Twenty Thousand only) with two sureties** each for a like sum to the satisfaction learned Magistrate concerned, and on further condition that:

(a) If the petitioners fails to surrender before the concerned Magistrate within a period of fifteen (15) days from 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 identify proofs to ensure their identity;

(c) The petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

18.12.2025

Vv

To

1. The Judicial Magistrate-I, Kallakurichi
2. Inspector of Police,
Cyber Crime Police Station,
Kallakurichi District.
3. The Public Prosecutor
High Court of Madras, Chennai 600 104.



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K.RAJASEKAR, J.

Vv

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