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Crl.O.P.No.35716



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.12.2025

CORAM :

THE HON'BLE MR. JUSTICE P.DHANABAL

Crl.O.P.No.35716 of 2025

Viswanathan

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
Cuddalore (CCD-II) Police Station,
Cuddalore District.
(Crime No.87 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail in Crime No.87 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.R.S.Selvam

For Respondent : Mr.S.Vinoth Kumar,
Government Advocate (Crl. Side)



ORDER

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The petitioner, who was arrested and remanded to judicial custody on 11.11.2025, for the alleged offence punishable under Sections 318(4) of BNS r/w 66 D of IT Act, in Crime No.87 of 2025, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant was running a jewellery shop in Cuddalore, on 12.10.2025, he has received a whatsapp message of 'part time job work from home' from an unknown number. The defacto complainant joined the group and money transaction was done through various account number on various dates through g-pay. Hence this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case and the petitioner is in judicial custody since 11.11.2025; and that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court and sought for bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent reiterated the prosecution case and submitted that this petitioner is



ranked as A2, the co-accused still absconding, the petitioner is not having any previous case, the investigation is pending. Hence, he strongly opposed for grant of bail to the petitioner.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the nature of offences, the petitioner is not a main accused, the petitioner is not having any previous case, material part of investigation is over and considering the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.

[a] 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)** each with two sureties, each for a like sum to the satisfaction of the *learned Judicial Magistrate No.III, Cuddalore*, and on further conditions that:-

[b] the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

[c] the petitioner shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[d] the petitioner shall not abscond either during investigation or



trial;

[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

30.12.2025

rna

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 No.III, Cuddalore.
- 2.The Inspector of Police,
Cuddalore (CCD-II) Police Station,
Cuddalore District.
- 3.The Superintendent of Prison,
Central Prison, Cuddalore.
- 4.The Public Prosecutor,
High Court, Madras.



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P.DHANABAL, J.

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