



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35926 of 2025

Diwakar
S/O Arivazhagan, D.No.11/4, Perumal
Kovil Street, Melkrishnapuram, Ambur
Vellor.

Petitioner(s)

Vs.

1. The State Rep By, The Inspector of Police,
Delta-1, Cyber Crime Police Station,
Central Crime Branch, Vepery, Egmore,
Chennai.
Crime No.53 of 2025.

Respondent(s)

PRAYER: Criminal Original Petition filed under Section 483 of BNSS Act, 2023, to enlarge the petitioner/accused herein on bail in Crime No.53 of 2025 on the file of the Inspector of Police, Central Crime Branch-Delta-1, Cyber Crime Police Station, Vepery, Egmore, Chennai.

For Petitioner(s): Mr.S. Mohan Raj

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



ORDER

The Petitioner, who was arrested and remanded to judicial custody on 21.11.2025 for the offences punishable under Sections 316 (2), 318(4) of B.N.S. Act, 2023 and under Section 66 D of Information Technology Act, 2000 in Crime No.53 of 2025, on the file of the respondent, seeks bail.

2.The case of the prosecution is that this petitioner was dealt with oral business deal as well as online trading fraud and cheated sum of Rs.1.43 Crore. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner has not committed any offence as alleged by the prosecution and no recovery was made from this petitioner and only based on the confession statement of A5, this petitioner was arrayed as an accused. He would also submit that there is no previous cases against the petitioner and the petitioner is ready to abide by any stringent condition imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4.The learned Government Advocate (Crl. Side) for the respondent would submit that this petitioner was dealt with oral business deal as well as online trading fraud and cheated sum of Rs.1.43 Crore. this petitioner was dealt with oral business deal as well as online trading fraud and cheated sum of Rs.1.43 Crore. He would further submit that there is no previous case pending as against the petitioner. However, he opposed to grant bail to the petitioner.



5. Heard both side learned counsel and perused the materials available on record.

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6. Considering the representation made by both side learned counsel and considering that there is no previous case pending against the petitioner and also taking into consideration that only based on the confession statement of A1, this petitioner was arrayed as an accused and that the number of days of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:

[a] Accordingly, the Petitioner is ordered to be released on bail on condition to execute 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 XI-Metropolitan Magistrate, Saidapet, Chennai and on further conditions that:

[b] the Petitioner shall report before the respondent Police, everyday at 10.30 a.m., until further orders.

[c] the Petitioner shall not commit any offences of similar nature.

[d] the Petitioner shall not abscond either during investigation or trial.

[e] the Petitioner shall not tamper with evidence or witness either during investigation or trial.

[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 B.N.S.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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 official website of this Court will be watermarked and will also have a QR code.



To

1.The Inspector of Police,
Delta-1, Cyber Crime Police Station,
Central Crime Branch, Vepery, Egmore,
Chennai. Crime No.53 of 2025.

2.The XI-Metropolitan Magistrate,
Saidapet, Chennai.

3.The Central Prison,
Puzhal, Chennai.

4.The Public Prosecutor,
Madras High Court,
Chennai.



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P.DHANABAL J.

KKN/SMV

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