

CRL OP(MD). No.824 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.824 of 2025

N.Harishkumar,
S/o. Nataraj, CRC Madinadka,
Ajjavara, Sulia Taluk,
Dakshnia Kannada,
Karnataka..

... Petitioner/Sole Accused

Vs

State of Tamil Nadu,
rep by The Inspector of Police,
CBCID Police, Thanjavur,
(Crime No.04 of 2024).

... Respondent/Complainant

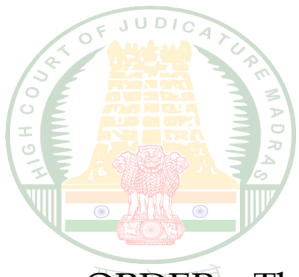
For Petitioner : Mr.D.Rameshkumar,
Advocate.

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.04 of 2024 on the file of the respondent Police.



CRL OP(MD). No.824 of 2025

ORDER : The Court made the following order :-

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The petitioner /sole accused who was arrested and remanded to judicial custody on 10.12.2024 for the alleged offence under Sections 120 (B), 420, 368 and 371 of IPC r/w Sections 10 and 24 of the Immigration Act, 1983 in Crime No.04 of 2024, seeks bail.

2. The case of the prosecution is that the accused persons received a total sum of Rs.5.90 lakhs from three victims in the guise of sending them abroad by getting jobs. The victims were sent to Thailand with tourist visa and thereafter, they were sent to Cambodia, where they were forced to cyber slavery. Ultimately, information was passed to the Indian Embassy and in the meantime, the victims were arrested at Cambodia and they suffered incarceration for 27 days. They were rescued by the Indian Embassy and were sent back to India. There are totally three accused persons in this case and the petitioner has been arrayed as A3.

3. The learned counsel appearing for the petitioner would submit that the petitioner has suffered incarceration from 10.12.2024 and that A1 was already enlarged on bail by this Court in CrI.O.P.(MD)No.16218 of 2024 by order dated 30.09.2024.



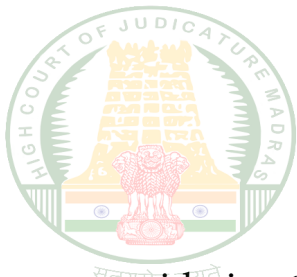
CRL OP(MD). No.824 of 2025

WEB COPY

4. The learned Additional Public Prosecutor appearing for the respondent police would submit that when A1 was granted bail by this Court, the entire facts were not brought to the notice of this Court and therefore, this Court did not have an occasion to understand the seriousness of the case. He would submit that because of the attitude of the accused persons, the victims unfortunately were inside the jail at Cambodia for nearly 27 days and they were rescued by the Indian Embassy and sent back to India. He would further submit that A2 is still absconding and he is in Cambodia and in view of the same, investigation has not been completed in this case. He would submit that the specific overt act against the petitioner is that he received commission of Rs.30,000/- from each of the victim and a total sum of Rs.90,000/- was received by the petitioner. Out of the total amount of Rs.5.90 lakhs, A1 had repaid back only a sum of Rs.1.85 lakhs and hence, the learned Additional Public Prosecutor vehemently opposed grant of bail to the petitioner.

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

6. Taking into consideration the facts and circumstances of the case and



CRL OP(MD). No.824 of 2025

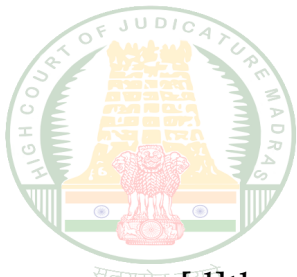
considering the fact that A1 was granted bail by this Court and taking note of the fact
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that the petitioner has suffered judicial custody from 10.12.2024 and the investigation
is still pending, this court is inclined to grant bail to the petitioner , subject to the
following conditions:

7. Accordingly, the criminal original petition is ordered and the petitioner is
ordered to be released on bail on executing 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
learned Judicial Magistrate, Thiruvaiyaru, Thanjavur District and on further
conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the
surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass
Book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 A.M.,
until further orders.

[c] the petitioner shall deposit a sum of Rs.90,000/- (Rupees Ninety Thousand
only) to the credit of Crime No.4 of 2024 before the learned Judicial Magistrate,
Thiruvaiyaru, Thanajvur District within a period of four weeks from the date of
release on bail.



CRL OP(MD). No.824 of 2025

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[d]the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f]On breach of any of the aforesaid conditions, the learned 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 of BNS, 2023.

sd/-
21/01/2025

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/01/2025
Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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To

1. The Judicial Magistrate, Thiruvaiyaru, Thanjavur District
2. Do-Through The Chief Judicial Magistrate,
Thanjore District @ Kumbakonam.



CRL OP(MD). No.824 of 2025

3. The Inspector of Police,
CBCID Police, Thanjavur,

4. The Officer In-charge,
District Prison, Thanjavur.

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.824 of 2025
Date :21/01/2025

RK (21/01/2025) 6P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023