

CRL OP(MD). No.1066 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.1066 of 2025

M.Prakash,
S/o. Mathvan,
D.No.11/31, Yathaval
Street, Kotturpuram,
Chennai - 600085..

... Petitioner/ Accused No.4

Vs

State of Tamil Nadu,
The Inspector of Police,
Cyber Crime Police Station,
Sivagangai District.
Crime No.35 of 2024.

... Respondent/ Complainant

For Petitioner Mr.S. Sekar,
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.



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PRAYER:-

For Bail in Crime No.35 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner /4th accused, who was arrested and remanded to judicial custody on 29.11.2024 for the alleged offence under Sections 318(4) of BNS and Section 66D of the Information Technology Act, 2008 in Crime No.35 of 2024, seeks bail.

2. The case of the prosecution is that A1 lured the defacto complainant to invest amount and accordingly, a total sum of Rs.86.95 lakhs was invested. Out of this amount, a sum of Rs.50 lakhs came into the account of A4. On investigation, it was found that A2 was operating the account of A4. A2 also happens to be the close relative of A1. The allegation against the petitioner is the he received commission of Rs.1 lakh from A1.

3. The learned counsel appearing for the petitioner would submit that the petitioner has been falsely roped in this case and that the petitioner has nothing to do with the alleged offences. He further submitted that the petitioner has suffered



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incarceration from 29.11.2024.

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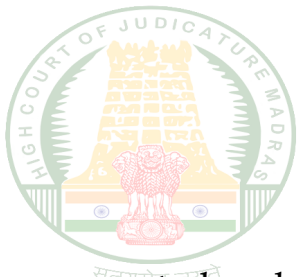
4. Heard the learned counsel appearing on either side and perused the materials available on record.

5. Taking into consideration the facts and circumstances of the case and considering the earlier orders passed by this Court in Crl.O.P.(MD)No.186 of 2025 dated 07.01.2025 and Crl.O.P.(MD)No.257 of 2025 dated 08.01.2025, wherein A2 and A5 were enlarged on bail and also taking note of the fact that the petitioner has suffered incarceration from 29.11.2024 and there are no previous cases against the petitioner, this court is inclined to grant bail to the petitioner, subject to the following conditions:

6. 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 No.II, Sivagangai and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the

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surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner after a period of one week from the date of release on bail, shall report before the respondent police daily at 10.30 A.M., until further orders.

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

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

[e] 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023.

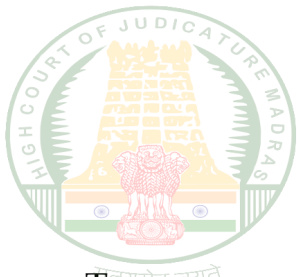
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21 /01/2025
Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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To
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1. The Judicial Magistrate No.II, Sivagangai
 2. Do through the Chief Judicial Magistrate,
Sivagangai District.
 - 3.The Inspector of Police,
Cyber Crime Police Station,
Sivagangai District.
 - 4.The Officer In-charge,
Sub Jail, Sivagangai.
 - 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- +2 CC to M/s.S.SEKAR, Advocate (SR-575[I] dated 21/01/2025)

ORDER
IN
CRL OP(MD) No.1066 of 2025
Date :21/01/2025

RK (21/01/2025) 5P / 8C
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