



CRL.O.P.(MD)No.1282 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

[Criminal Jurisdiction]

Date : 30.01.2025

PRESENT

THE HON`BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.(MD)No.1282 of 2025

Ramakrishnan

... Petitioner/ Accused
Rank not known

Vs

The Inspector of Police,
Theni CCD-III,
Theni, Theni District.
(Crime No.40 of 2024)

... Respondent/ Complainant

For petitioner : Mr.N.Pragalathan,
Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS, 2023

PRAYER :- For Bail in Crime No.40 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused Rank Not Known, who was arrested and remanded to
judicial custody on 07.12.2024 for the alleged offences under Section 318(4) of BNS,



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2023 and Section 66D of the Information Technology Act, in Crime No.40 of 2024, on the file of the respondent police, seek bail.

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2. The case of the prosecution is that the de facto complainant was lured to make an investment by a WhatsApp message. Believing the same, the investment was made in the account of A1. Thereafter, the entire money was diverted and as a result, the de facto complainant was cheated to the tune of Rs. 18,12,471. After the FIR was registered, it came to light that apart from A1, 5 others were involved, and the confession of A1 is that the petitioner (A2) was operating the account. The confession of the petitioner is that his account is operated by someone, and as a result, each of the persons arrested is blaming another person, claiming that they did not individually operate the bank account. Till now, 6 accused persons have been identified, and the petitioner has been arrayed as A2.

3. Heard the learned counsel on either side and perused the material records of the case.

4. Taking into consideration the facts and circumstances of the case and considering the manner in which the offence had taken place and taking note of the fact that the petitioner has suffered incarceration from 07.12.2024 and there are no previous cases against the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:



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5. 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) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Theni, Theni 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 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].



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[f] If the accused thereafter absconds, a fresh FIR can be registered under

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Section 269 of BNS, 2023.

sd/-
30/01/2025

/ TRUE COPY /

30/01/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

JEN
TO

1 THE JUDICIAL MAGISTRATE,
THENI, THENI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THENI DISTRICT.

3 THE OFFICER INCHARGE,
DISTRICT JAIL, THENI, THENI DISTRICT.

4 THE INSPECTOR OF POLICE,
THENI CCD-III,
THENI, THENI DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



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+1 CC to M/s.N.PRAGALATHAN, Advocate (SR-1177[I] dated 30/01/2025)

ORDER
IN
CRL OP(MD) No.1282 of 2025
Date :30/01/2025

SA/SAR. /30.01.2025/5P/7C

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