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Crl.O.P.No.1625 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : **27.01.2026**

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THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL.O.P.No.1625 of 2026

Sanjay Kumar ESA

... Petitioner

Versus

The State,
Rep. by The Inspector of Police,
State Cyber Crime Investigation Centre,
Cyber Crime Wing, Hqrs,
Ashok Nagar, Chennai, Tamil Nadu.
(Crime No.119 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS) 2023, pleased to enlarge the petitioner/accused on bail in Crime No.119 of 2025 on the file of the Respondent Police.

For Petitioner : Mr. M. Ponmudi
For Respondent : Mr. A. Gopinath,
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 02.12.2025, for the offences punishable under Sections 204, 205, 308, 316(2) and 318(4) of Bharatiya Nyaya Sanhita (BNS) 2023, and Sections 66C & 66D of the Information Technology Act, 2008, in Crime No.119 of 2025, registered on the file respondent police, seeks bail.



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The allegation against the petitioner is that he was engaged as a contract worker in the Cyber Crime Wing to receive and forward complaints to the concerned wing. Taking advantage of his position, he allegedly demanded a sum of Rs.10,000/- from the defacto complainant to forward his complaint. Hence, the defacto complainant lodged a complaint before the Superior Officer of the said wing. Thereafter, a case was registered and the petitioner was arrested on 02.12.2025.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that he is ready and willing to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed to grant bail to the petitioner.



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4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioner was working as a call-taker in the Cyber Crime complaint receiving wing on contract basis. Misusing his position, he allegedly demanded a sum of Rs.10,000/- from the defacto complainant to forward his complaint. It was further submitted that the petitioner is no longer working in the said wing and that no previous case pending against him. The investigation is still pending. Therefore, he opposed the grant of bail to the petitioner.

5. Heard the learned counsel appearing on either side and perused the materials available on record, including the First Information Report.

6. Considering the facts and circumstances of the case, and the submissions made by the learned Government Advocate, the fact that the petitioner had worked in the Cyber Crime Wing on a contract basis and is not presently employed in the said office, that there are no previous criminal cases pending against him, and also considering the period of incarceration, I am inclined to grant bail to the petitioner with certain conditions.



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7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties** for a like sum to the satisfaction of the **learned XI Metropolitan Magistrate/Judicial Magistrate, Saidapet**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the concerned Trial Court daily at 10:30 A.M., for a period of three weeks and thereafter, as and when required for interrogation;

[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner was 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)13 SCC 283]***;



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[d] If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

27.01.2026

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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.

To

- 1.The XI Metropolitan Magistrate/Judicial Magistrate, Saidapet.
- 2.The Central Prison, Puzhal.
- 3.The Inspector of Police, State Cyber Crime Investigation Centre, Cyber Crime Wing, Hqrs, Ashok Nagar, Chennai, Tamil Nadu.
- 4.The Public Prosecutor, High Court of Madras, Chennai.



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K.RAJASEKAR, J.

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