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CRL OP No. 2988 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 2988 of 2026

M.Sureshkumar

..Petitioner(s)

Vs

The State, Rep. by
The Sub-Inspector of Police,
Cyber Crime Police Station,
Kancheepuram District.
Cr.No.34 of 2025

..Respondent(s)

Prayer: This Criminal Original Petition is filed under Section 483 of BNSS Act to enlarge the petitioner on bail in Crime No.34 of 2025 on the file of the respondent police.

For Petitioner(s): M/S.D.Saikumaran

For Respondent(s): Mr.A.Gopinath, GA (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 05.12.2025 for the offences punishable under Sections 318(4) of BNS 2023 and Section 66(D) of IT Act, 2000 in Crime No.34 of 2025 on the file of the



respondent police, seeks bail.

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2. The allegation against the petitioner is that the petitioner obtained a sum of Rs.34,000/- from the defacto complainant on a false promise of obtaining Aavin Milk Booth Contract and subsequently, cheated the defacto complainant. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case and was in judicial custody since 05.12.2025. He further submitted that petitioner already returned a sum of Rs.34,000/- to the defacto complainant and he has also filed a memo to that effect. Hence, he prays for grant of bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution's case and submitted that the investigation in this case is pending and if the petitioner is released on bail, he will hamper the investigation and prayed for dismissal of the bail petition.

5.Considering the fact that the petitioner has returned the alleged amount of Rs.34,000/- to the defacto complainant; period of incarceration undergone by the petitioner and since further custodial interrogation of the petitioner is not



required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions.

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6. 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**, each for a like sum to the satisfaction of the learned ***Judicial Magistrate No.1, Kancheepuram*** 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., for a period of three weeks and thereafter as and when required for interrogation;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness 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 B.N.S

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

JAI

To

1. The Sub-Inspector of Police,
Cyber Crime Police Station,
Kancheepuram District.
2. The Judicial Magistrate No.1, Kancheepuram.
3. The Central Prison, Vellore.
4. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

JAI

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