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CRL OP No. 8732 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 8732 of 2026

Velu S/o. Subramanian,
10A. Puthu Pettai Norths Street,
Palayamkottai,
Tirunelveli - 627 002.

..Petitioner(s)

Vs

The State represented by:

The Inspector of Police
Cyber Crime Police Station,
Ariyalur.
(Crime No.16 of 2025)

..Respondent(s)

PRAYER: The Criminal Original Petition has been filed under Section 483 of B.N.S.S. praying to enlarge the petitioner on bail in connection with the crime No.16/2025 on the file of the respondent police.

For Petitioner(s): M/s.P. Selva Kumar

For Respondent(s): Mr. S. Vinoth Kumar,
Government Advocate (Criminal side).

ORDER

The petitioner, who was arrested and remanded to judicial custody on 04.10.2025 for the alleged offences under Sections 318(4) of B.N.S. read with Section 66D of Information Technology Act in Crime No.16 of 2025 on the file of the respondent police, seeks bail.



2. The ***case of the prosecution*** is that under the dishonest inducement of the accused persons, the defacto complainant invested in stock marketing and sustained loss. Based on the complaint given by the defacto complainant that the accused persons cheated him to the tune of Rs.46,90,500/-, this case has been registered.

3. The learned counsel appearing for the petitioner would submit that initially the petitioner was arrested on 04.10.2025 and he was enlarged on bail on 28.10.2025. In the meanwhile, according to the prosecution, the petitioner has forged medical certificate before the learned Judicial Magistrate, Ariyalur, thereby, the learned Judicial Magistrate has cancelled the bail vide order dated 27.11.2025, in furtherance thereof, when the petitioner filed a Criminal Revision petition in Crl R.C. No.2886 of 2025, this Court has confirmed the cancellation of bail vide order dated 08.01.2026 and in furtherance of which, the petitioner surrendered before the learned Judicial Magistrate, Ariyalur on 26.02.2025 and he has been under incarceration for the past more than 42 days and hence prays for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal side) appearing for the respondent police reiterated the prosecution case and strongly opposed the bail application stating that as the petitioner has not complied with the condition and forged the medical certificates, the bail granted to him was cancelled.



5. I have given anxious consideration to the submissions made by the learned counsel on either side.

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6. Though the learned Government Advocate (Criminal side) has strongly opposed the bail application upon the conduct of the petitioner, this Court is of the firm view that since the petitioner is under judicial custody since 26.02.2026, the further incarceration of the petitioner is not required in respect of any investigation. In such view of the position, this Court is inclined to enlarge the petitioner on bail, subject to the following stringent conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty-five Thousand only) with two sureties each, for a like sum to the satisfaction of the **learned Judicial Magistrate No.II, Ariyalur** 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 sign before the respondent police daily at 10.30 a.m. and 5.30 p.m. until further orders and relaxation petition shall be filed after 15 days;**



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

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

[e] 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 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]:

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

08-04-2026

MJS

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 Judicial Magistrate No.II, Ariyalur.
2. The Inspector of Police, Cyber Crime Police Station, Ariyalur.
3. The Superintendent of Police, Central Prison, Trichy.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

MJS

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