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CRL OP No. 12893 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 12893 of 2026

S. Sathiyamoorthy

..Petitioner

Vs

State by:

The Inspector of Police,
Cyber Crime Police Station (West Zone),
Chennai West, Chennai.
(Crime No. 45 of 2025)

..Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioner on bail in Cr.No. 45 of 2025 on the file of the respondent and pass such further or other orders.

For Petitioner:

Mr. S.C.Vishwanth

For Respondent:

Ms.R.S.Indira

Government Advocate (Criminal Side)

ORDER

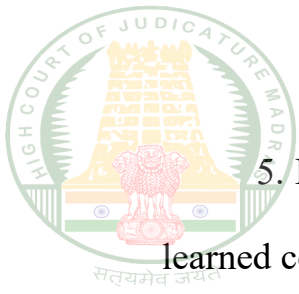
The petitioner apprehends arrest for the alleged offence under Sections 316(2), 318(3) of the Bharatiya Nyaya Sanhita and under Section 66C of the Information Technology (Amendment) Act, 2008 in Crime No.45 of 2025 on the file of the respondent police seeks anticipatory bail.



2. The case of the prosecution is that the defacto complainant and his partners were running a civil contracting concern in the name and style of G.K.Enterprises, and the petitioner joined their business activities in May, 2024. While so, taking advantage of the physical condition of the defacto complainant, the petitioner allegedly misused the company's account and thereby cheated a sum of Rs.4.88 Crores of the company's amount. Hence, the case.

3. The learned counsel for the petitioner submitted that petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that, in order to evade Income Tax and GST liabilities, the defacto complainant has lodged a false complaint against the petitioner. He also submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court and is willing to co-operate with the investigation. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and submitted that there are no adverse antecedents against the petitioner. However, she opposed to grant anticipatory bail to the petitioner.



5. I have given my anxious consideration to the submissions made by the learned counsel on either side and perused the materials available on record.

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6. Considering the facts and circumstances of the case and taking into consideration of the factual position that the FIR was registered on 11.06.2025 and the petitioner was already permitted to operate the company's account, this Court is of the view that at this length of time, custodial interrogation of the petitioner is not required. Hence, this Court is inclined to enlarge the petitioner on anticipatory bail subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned XI Metropolitan Magistrate, Egmore**, on condition that **the petitioner shall execute 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 Magistrate concerned, and on further conditions:

(a) If the petitioner fails to surrender before the concerned learned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;



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(b) 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 identify proofs to ensure their identity;

(c) The petitioner shall report before the respondent Police, daily at 10.30 a.m and 05.30 p.m., until further orders;

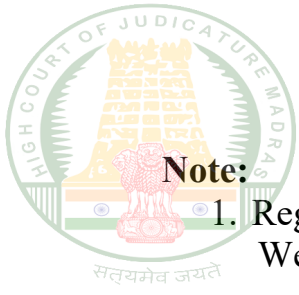
(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]*;

(e) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

03-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

VEDA



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, Egmore.

2. The Inspector of Police,
Cyber Crime Police Station (West Zone),
Chennai West, Chennai.

3. The Public Prosecutor,
Madras High Court.



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C.KUMARAPPAN, J.

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