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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 30797 of 2026

CNR:{HCMA012564032026}

Mohammad Jafar

..Petitioner

Vs

The State Rep. By,
The Inspector of Police
Delta-2, Cyber Crime Police Station,
Central Crime Branch,
Chennai.
Crime No.129 of 2026.

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Cr.No.129 of 2026 pending investigation on the file of the Respondent Police.

For Petitioner: Mr.P.Cipooral Rose

For Respondent: Ms.R.S.Indira
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 05.09.2026 for the alleged offences under Sections 318(4), 319(2), 336(3), 338 and 61(2) of BNS and section 66D of Information Technology Act, 2000 in Crime No.129 of 2026 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the de facto complainant was induced by the petitioner to invest money in an online trading platform for higher returns and thereby, the de facto complainant transferred a total sum of Rs.2,11,46,843/- through various bank transactions. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in the present case and that he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner's account has already been frozen, having been used as a mule account, and that the petitioner had no knowledge of the transactions. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the Petitioner.

4. Per contra, the learned Additional Public Prosecutor appearing for the Respondent Police reiterated the prosecution case and submitted that the de facto complainant invested and transferred to the tune of Rs.2,11,46,843/- as 1st layer amount to the petitioner and that the petitioner has received Rs.9,13,890/- and the petitioner has been incarcerated since 05.09.2026.

5. Heard the learned counsel appearing for the petitioner, the learned Additional Public Prosecutor for the respondent Police and perused the

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materials available on record.

6. Considering the facts and circumstances of the case; taking note of the submission made by the learned Additional Public Prosecutor; considering the period of incarceration of the petitioner and nature of allegation and that there are no other complaint against this petitioner and considering the fact that the petitioner hails from the State of Maharashtra, this Court is inclined to grant bail to the petitioner subject to certain 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 (among two sureties, one should be a blood surety and one should be a local surety)**, for a like sum to the satisfaction of the **learned XI MM Court, Saidapet, Chennai,** 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 respondent police everyday at 10.30 a.m., until further orders;

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

[d] the petitioner shall not tamper with the evidence or

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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.

23-10-2026

SHL

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.

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N.RAMESH J.

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To:

1. The Inspector of Police
Delta-2, Cyber Crime Police Station,
Central Crime Branch,
Chennai.

2. The XI MM Court, Saidapet,
Chennai

3. The Central Prison-II,
Puzhal, Chennai.

4. The Public Prosecutor
High Court of Madras

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