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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. 30875 of 2026

CNR: {HCMA012566632026}

Shyabu Khan,
S/o.Jahur Khan,
Boontoli, Alwar,
Rajasthan.

..Petitioner(s)

Vs

State Represented by
The Deputy Superintendent of Police
CBCID Cyber Crime Cell,
Chennai District.
(Crime No.01 of 2026)

..Respondent(s)

PRAYER: Criminal Original Petition filed under section 483 of BNSS Act, praying to enlarge the petitioner on bail in Crime No. 01 of 2026 on the file of the respondent police.

For Petitioner(s): Mr.V.Jagadeesan

For Respondent(s): Mrs.R.S.Indira,
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 12.09.2026 for the alleged offences under Sections 204, 318(2), 319(2), 336(3), and 340(2) of the BNS, and Sections 66C and 66D of the IT Act, in Crime No.01 of 2026 on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that the petitioner generated AI scam videos on Facebook, circulated the same, and collected registration fees from the public. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is innocent and has been falsely implicated in this case. He further submitted that the electronic devices used in the alleged offence have already been seized by the respondent police, and since the petitioner has been in judicial custody from 12.09.2026, his further custodial interrogation is not required. He added that the petitioner is ready to cooperate with the investigation and abide by any stringent conditions imposed by this Court.

4.The learned Additional Public Prosecutor appearing for the respondent State strongly opposed the grant of bail, submitting that the petitioner generated fake AI scam videos on Facebook, impersonating the Honourable Chief Minister of Tamil Nadu. This was done with the intention of inducing members of the public through two Facebook accounts, namely "All India Help Vijay Thalapti" and "all india help", where digitally manipulated AI videos were circulated inviting the general public to contact them for assistance, thereby collecting registration fees. She further submitted that the petitioner has 9 previous cases.

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5.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent police, and perused the materials available on record.

6.On the record as it stands, the accusation is that the petitioner generated and circulated the manipulated videos through the two accounts and collected registration fees from the members of the public who responded. The petitioner's answer is that his mobile number, Facebook identity and bank account were used by another. Which of the two is true is a matter for the investigation, and it cannot be resolved on affidavits. I record no finding on it. What can be said is that the connection alleged runs through a mobile number, two social media accounts and a bank account. Material of that kind is electronic and documentary. The accounts stand identified by name in the case of the prosecution; the records of the accounts, of the number and of the bank account rest with the service providers and the bank and are secured by the orders the investigating agency can obtain. The risk that remains, that the petitioner may operate or alter those accounts, is met by a condition that he shall not.

7.Nothing placed before me shows that any recovery remains to be made from the petitioner or at his instance, that his custodial interrogation has been

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sought or is still required, or what the investigation has yet to do that requires his detention. The apprehension of absconding rests on the fact that he lives at Alwar in Rajasthan. That is a real consideration, but the answer to it is a set of conditions that can be verified and enforced, not continued detention. No antecedents are placed before me.

8.Considering the facts and circumstances of the case, the nature of the allegations, the period of incarceration undergone by the petitioner from 12.09.2026, this Court is inclined to grant regular bail to the petitioner, subject to strict conditions to ensure his presence during investigation and trial.

9.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, one of whom shall be a local surety and the other shall be a blood relative surety,** each for a like sum to the satisfaction of the **learned Metropolitan Magistrate Court No.XI, Saidapet,** and on further conditions that:

> [a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Suretyship [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;

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[b] the petitioner shall, within one week of his release, file before the learned Magistrate an affidavit stating his address of residence with proof, the mobile number he will use, and the bank accounts he holds, and shall not change the address or the number without prior intimation to the learned Magistrate and the respondent;

[c] the petitioner shall report before the respondent daily at 10.30 a.m. until further orders;

[d] the petitioner shall not operate, access, or cause to be operated the two Facebook accounts named in paragraph 2 of this order, or any social media account in a name other than his own, and shall not create, publish, or circulate any digitally manipulated audio-visual material of any person;

[e] the petitioner shall not, directly or through any person, contact any person who paid money in response to the videos or any witness in the case;

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

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

[h] 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

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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];

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

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

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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 Metropolitan Magistrate Court No.XI, Saidapet.

2.The Deputy Superintendent of Police
CBCID Cyber Crime Cell,
Chennai District.

3.The Central Prison, Puzhal.

4.The Public Prosecutor,
High Court of Madras.

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N.RAMESH, J.

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