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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 33966 of 2026

CNR: {HCMA012774762026}

Case QR

Subhash Kumar
S/o. Koleshwar Ravidas,
Current Residing at
Cheran Spinner Pvt.Ltd.,
SF, No.477/1, Anganur Main Road,
Sowthapuram Post,
Patharai,
Namakkal,
Tamilnadu.

..Petitioner(s)

Vs

The State of Tamilnadu Rep.by, The Inspector of Police
East Zone Cyber Crime Police Station,
Vepery,
Chennai.
Cr.No.43 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under section filed under Section 483 of BNSS praying to grant bail for the petitioner in Cr.No.43 of 2026 on the file of the Inspector of Police, East Zone Cyber Crime Police Station, Vepery, Chennai.

For Petitioner(s): Mr.I Porselvan

For Respondent(s): Mr.M.M.I.Khaleel
Government Advocate (Crl. Side)

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ORDER

The petitioner, who was arrested and remanded to judicial custody on **05.10.2026** for the alleged offences punishable under **Sections 318(4) of BNS, 2023 and Section 66D of the Information Technology Act, 2000** in Crime No. 43 of 2026 on the file of the respondent police, seeks regular bail.

2. It is a case of cyber fraud. The case of the prosecution is that the defacto complainant received a WhatasApp message on 21.09.2026 from an unknown mobile number containing a link purporting to be for updating the Know Your Customer (KYC) details of the Bank of India Believing the message to be genuine, the defacto complainant allegedly clicked the link, pursuant to which, a sum of Rs.14,75,437/- was allegedly fraudulently withdrawn from the defacto complainant's bank account in twenty transactions. It is alleged that a sum of Rs.2 lakhs has reached the petitioner's account and it was withdrawn. The allegation against the petitioner is that he has knowingly and intentionally lend his account to the fraudsters.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further undertakes that the petitioner will strictly abide by any stringent conditions imposed by this Court and will co-operate with the investigation. He further

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submitted that, to show his bonafide, the petitioner is willing to deposit a sum of Rs.50,000/- to the credit of Crime No. 43 of 2026. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent state strongly opposes the grant of bail to the petitioner. He further submitted that the petitioner hails from other state and if he released on bail, he will abscond.

5. Considering the voluntary undertaking given by the petitioner that he is willing to deposit a sum of Rs.50,000/- to the credit of crime number and the period of incarceration undergone by the petitioner from **05.10.2026**, this Court is inclined to grant regular bail to the petitioner, subject to strict conditions to ensure his presence during investigation and trial.

6. Accordingly, **the petitioner is directed to deposit a sum of Rs. 50,000/- to the credit of Crime No.43 of 2026 and on such deposit,** 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 Metropolitan Magistrate XI, Saidapet,** and on further conditions that:

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[a] the sureties shall affix his 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 his identity;

(b) the petitioner shall report before the respondent police daily 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 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.

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To

1. Metropolitan Magistrate XI, Saidapet

2. The Inspector of Police
East Zone Cyber Crime Police Station,
Vepery,
Chennai.

3. The Public Prosecutor,
Madras High Court.

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N.RAMESH, J.

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