



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the First day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.4594 of 2022

SYED ABUTHAHIR

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
TIRUPPUR CITY CYBERCRIME POLICE STATION,
TIRUPPUR DISTRICT
(CRIME NO.15 OF 2021)

[RESPONDENT]

For Petitioner : M/S I.ABDUL BASITH Advocate

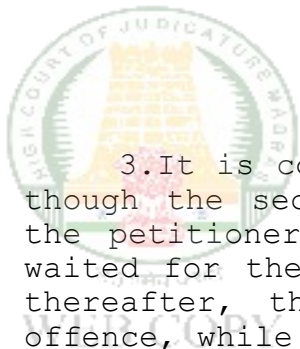
For Respondent : M/S.G.V.KASTHURI, Additional public Prosecutor

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

This petition for bail filed by one of the accused in Crime No.15 of 2021 registered on 22.09.2021 by CCB, Tirupur.

2.The First Information Report reveals that the petitioner herein along with the others have started an online platform promising finance from foreigners and enticed small time entrepreneurs to invest money in their forex trading so that they can arrange for finance for large sum. As per the First Information Report, the defacto complainant has deposited around Rs.19,63,010/- in the online company by name DeltinFX in which the petitioner herein is one of the key operator. Based on the said complaint, the F.I.R has been registered on 22.09.2021 by the respondent police. However, by that time, this petitioner has already been arrested in Crime No.79 of 2021 registered on 15.03.2021 on the file of CCB, Chennai for a similar online fraud and it is also brought to the notice of this Court that this petitioner was detained under Act 14 of 1982 in the said previous case.



3.It is contended by the learned counsel for the petitioner that though the second F.I.R. by CCB, Tirupur registered on 22.09.2021, the petitioner was not arrested immediately even formally but they waited for the order passed in HCP quashing the detention order and thereafter, this petitioner was arrested for the alleged similar offence, while the co-accused were granted anticipatory bail.

4.The learned Additional Public Prosecutor appearing for the respondent states that the petitioner along with others have started three online company and had attracted gullible entrepreneurs to invest money with the promise to arrange foreign finance. The investigation reveals that it is a larger team of fraud who were involved in this crime and being an online fraud, the release of the petitioner herein will enable him to destroy the evidence available.

5.Considering the fact that the alleged offence against the petitioner herein is deep rooted and not confined only with the defacto complainant but there is material to show that this petitioner along with others have defrauded several other investors. The release of the petitioner herein on bail is not conducive for the investigation. Hence, the criminal original petition for bail is dismissed.

-sd/-

01/03/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE INSPECTOR OF POLICE,
TIRUPPUR CITY CYBER CRIME POLICE STATION,
TIRUPPUR DISTRICT.

2 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S I.ABDUL BASITH Advocate on payment of necessary charges

CRL OP.4594/2022

Date :01/03/2022

JPA 04/03/2022