



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Thursday, the Twelfth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice A.A. NAKKIRAN

CRIMINAL ORIGINAL PETITION No.11087 of 2022

RAHMAN SHARIEF

[ PETITIONER / ACCUSED ]

Vs

STATE REP BY  
THE INSPECTOR OF POLICE,  
CCD-II, COIMBATORE DISTRICT CYBER CELL,  
COIMBATORE DISTRICT.  
CR.NO. 23/2021.

[ RESPONDENT ]

For Petitioner : M/S. R.VIJAYAKUMAR Advocate

For Respondent : M/S.A.GOPINATH, Govt. Advocate ( Crl. Side)

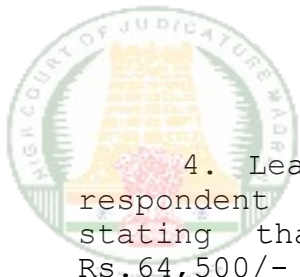
PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner herein who was arrested and remanded to judicial custody on 20.03.2022 for the offence under sections 420 of IPC and Section 66D, 72 of Information Technology Act 2008 in Crime No.23 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant has borrowed a sum of Rs.64,500/- as loan from various mobile applications such are small loan, Rupee King, Credit Bus etc., However, she received only a sum of Rs.37,201/- in her bank account. Thereafter, the defacto complainant repaid sum of Rs.41,558/-. After repayment, the defacto complainant received various phone calls to pay the dues of the said amount and she was abused by the phone calls and she also received a fake legal notice from RBI. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he is only a telecaller and he is no way connected with the alleged offence. He would also submit that the petitioner has been suffering incarceration from 20.03.2022. Hence, he would pray for grant of bail to the petitioner.



4. Learned Government Advocate (Crl. Side) appearing for the respondent strongly opposed the grant of bail to the petitioner stating that the defacto complainant has borrowed a sum of Rs.64,500/- as loan from various mobile applications such are small loan, Rupee King, Credit Bus etc., However, she received only a sum of Rs.37,201/- in her bank account. Thereafter, the defacto complainant repaid sum of Rs.41,558/-. After repayment, the defacto complainant received various phone calls to pay the dues of the said amount and she was abused by the phone calls and she also received a fake legal notice from RBI. He would also submit that during investigation the respondent police found that there are totally 5 accused and the petitioner herein is arrayed as A2 and he is a native of Bangalore, Karnataka District and the investigation is yet to be completed.

5. Considering the facts and circumstances of the case and the gravity of offence, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-  
12/05/2022

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,  
CCD-II, COIMBATORE DISTRICT CYBER CELL,  
COIMBATORE DISTRICT.

2 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,  
CENTRAL PRISON, COIMBATORE.

CC to M/S. R.VIJAYAKUMAR Advocate on payment of necessary charges

CRL OP.11087/2022

Date :12/05/2022

TA-16/05/2022