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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/12/2022

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD) . Nos.20923 and 20928 of 2022

Selvaraj ... Petitioner/Accused Rank not known
in CRL OP(MD)No.20923 of 2022

Anbarasan ... Petitioner/Accused Rank not known
in CRL OP(MD)No.20928 of 2022

Vs

The Inspector of Police,
Cyber Crime Police Station,
Karur District.
Crime No.2/2022.

... Respondent/Complainant
in both cases

For Petitioner
in both cases

: M/s.Baalasundharam K,
Advocate.

For Respondent
in both cases

: Mr.T. Senthil Kumar,
Additional Public Prosecutor

PETITIONS FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.2/2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 420 IPC r/w. 66(d) of Information Technology act, in Crime No.2 of 2022 on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution, as per the de-facto complainant is that the accused have induced the defacto complainant to invest in online trade with the promise of giving huge returns and

<https://www.mhc.org.in/cases>



believing the same, he has deposited a sum of Rs.64,81, in favour of one Angela, who is hailing from Hongkong, for online trading business. Later the accused have cheated him. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners herein are father and son respectively and the younger son of the petitioner in Crl.O.P(MD).No.20923 of 2022 is the main accused and he has already been arrested and remanded to judicial custody. He further submitted that the names of the petitioners do not find a place in FIR and since because they are related to A1 they have been roped in this case and thereby, seeks anticipatory bail.

4.The learned Additional Public Prosecutor would submit that the petitioners are father and brother of the main accused and on the basis of the inducement made by the main accused, the defacto complainant had invested a sum of Rs.64,81,846/- in favour of one Angela for online trading business and subsequently, the accused have cheated him. He further submitted that the petitioners are family members of the main accused and they have colluded with the main accused and cheated several persons and further the investigation of the case is in initial stage and the money trail has to be analysed and hence, the custodial interrogation of the petitioners is necessary and thereby, he opposes to grant anticipatory bail to the petitioners.

5. Head the learned counsel appearing on either side and perused the materials on record. Taking into consideration the facts and circumstances of the case and that the investigation of the case is in initial stage and that if the petitioners are released on anticipatory bail, there will be every possibility for tampering with evidence and interfering with investigation, hence, this Court is not inclined to grant anticipatory bail to the petitioners.

6. Accordingly, these Criminal Original Petitions are dismissed.

sd/-

14/12/2022

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/01/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

trp



TO

1 THE INSPECTOR OF POLICE,
CYBER CRIME POLICE STATION,
KARUR DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD). Nos.20923 and
20928 of 2022

Date :14/12/2022

RK/VR/SAR-4 (04/01/2023) 3P/3C