



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/04/2023

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PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.6215 of 2023

Moorthi ... Petitioner/Accused rank not known

Vs

The State rep., by
The Inspector of Police,
Cyber Crime Police Station,
Sivagangai,
Crime No.10 of 2023. ... Respondent/Complainant

For Petitioner : Mr.K.P.Narayanakumar, Advocate

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime no.10 of 2023 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner /accused rank not know, who was arrested and remanded to judicial custody on 03.03.2023 for the offences under sections 420 of IPC r/w. 66D of I.T.Act @ sections 420,120(b), 468,471, of IPC r/w.Section 66 (D) of I.T.Act and sections 20,21,25 of Telegraph Act in Crime No.10 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution as per the de-facto complainant is that the accused persons cheated the defacto complainant to the tune of Rs.99,887/- by sending message as his HDFC Bank account was blocked. Hence, the complaint. Based on the confession statement given by accused persons, the petitioner, who is working as Distributor of Jio Network and sold the SIM card to the people, was found to be implicated in this case.



3. The learned counsel for the petitioner would submit that the petitioner has nothing to do with the alleged crime committed by the other accused persons. He would further submit that A2 and A7 were released on bail, hence he seeks bail.

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4. Heard both sides and perused the materials available on record including the First Information Report.

5. There are totally 25 accused in this case. During investigation, it was found that more than 20,000 sim cards along with 23 Sim boxes and other digital software has been recovered by Cyber Crime Police Station, Sivagangai. Further recovery and detection made by Tamil Nadu Police may have national impact and it is necessary to explore in context with large number of complaints registered on National Cyber Crime Reporting Portal's and FIRs lodged in the different States/UTs. Further, the defacto complainant received SMS from 9360393461 stating that his HDFC was going to be blocked and insisted to update PAN card. Thereafter, the victim using link provided his bank credentials including user name, password, several OTPs received to mobile has been entered in the fake site due to which in a single transaction an amount of Rs.99,887/- has been stolen from the victim, likewise from so many other victims they have stolen huge money. At this stage, if the petitioner is released bail he will indulge in similar type of offence and he will tamper the witnesses and hamper the investigation. Further, the persons, who were released on bail, are none other than employees of A1 whereas the petitioner herein is a Distributor of Jio Network and sold the SIM card to the people, therefore, this Court is not inclined to grant bail to the petitioner.

6. In the result, the petition stands dismissed.

sd/-

03/04/2023

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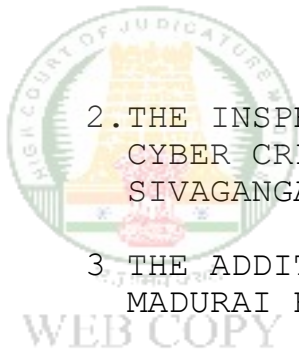
/04/2023

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

rmk

TO

1. THE OFFICER IN CHARGE,
DISTRICT PRISON, RAMANATHAPURAM.



CRL OP(MD).



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2. THE INSPECTOR OF POLICE,
CYBER CRIME POLICE STATION,
SIVAGANGAI.

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

ORDER

IN

CRL OP(MD) No.6215 of 2023

Date : 03/04/2023

RK/CG/SAR-4 (10/04/2023) 3P/4C