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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 25/09/2023

THE HON'BLE MR JUSTICE G.ILANGOVAN

Crl.OP(MD)Nos.16993 and 17076 of 2023

(1).Crl.OP(MD)No.16993 of 2023:-

1.Jeneith Ahamed
2.Javith Ahamed : Petitioners/A22 and A23

Vs.

The State represented by its
The Inspector of Police,
CCD-II,
Virudhunagar
(In Crime No.2 of 2023) : Respondent/Complainant

(2)Crl.OP(MD)No.17076 of 2023:-

A.Vaithiyalingam : Petitioner/A4

Vs.

The State represented by its
The Inspector of Police,
CCD-II,
Virudhunagar
(In Crime No.2 of 2023) : Respondent/Complainant

For Petitioner : Mr.D.S.Haroon Rasheed

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor



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

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PRAYER:-For Bail in Crime No.2 of 2021 on the file of the Respondent Police.

COMMON ORDER: The Court made the following order:-

The petitioners in CrI.OP(MD)No.16993 of 2023/A22 and A23, who were arrested and remanded to judicial custody, on 31/08/2023 and the petitioner in CrI.OP(MD)No.17076 of 2023/A4, who was arrested and remanded to judicial custody on 24/08/2023 for the offences punishable under sections 420 and 465 IPC and section r/w section 66D of the Information Technology (Amendment) Act 2008, in Crime No.2 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the de-facto complainant lodged a complaint stating that he is searching for job online. One Swapna through her Telegram ID informed him that he can earn Rs.5,000/- for 4 to 5 hours of work. Later she became known to one Shreya Tilak. At that time Swapa account was deleted. On further



enquiry, they also created a separate ID. They informed that his job is give marks for the movies. They promised that upto Rs.4,000/- will be credited in his account as commission. In the course of the above said, he received Rs.30,000/- as commission. Later the above said Eherya Tilak informed that she can also deposit money, so that he can earn profit. He was asked to deposit Rs.51,880/-. He deposited money through UBB, but no commission was received. When enquired with Sherya she promised to return. He deposited money in various categories. But later they cheated. On the basis of the complaint given by the de-facto complainant, a case in Crime No. 2 of 2023 was registered for the offences punishable under sections 420 and 456 IPC and section 66D of the Information Technology (Amendment) Act. The accused were arrested and remanded to judicial custody.

3. Seeking bail, these petitions have been filed by A22 & A23 and A4. The Accused 22 and A24 stated that A22 is doing interior designing business and A23 is doing leather business, it is partnership venture dealing with iron scrap business called as AH Enterprises, Blue Moon Traders, Arul Steels. In the course of the above said



4. Perusal of the CD file shows that the account of various have been collected where several persons deposited through online transactions. Even though, as been submitted by the petitioners that the forgery documents alleged to have been committed by the co-sed. But the fact remains that so far the amount has been recovered. The actual person involved the modus operandi has not been unearthed. So far 24 witnesses persons have been arrayed as accused. Some of the persons arrested. During the course of the investigation, it



was found that A20, A21, A22 and A23 promised to take the commission to A2 to A19 through account. They opened the account in their names and totally Rs.8,51,000/- was received as payment. One of the accused stating that in the name of A4-Vaithiyalingam. He started the business called Rainbo Traders. That account was used by them for receiving the deposit from the complainant.

5.Perusal of the above said statement of the accounts shows that totally, Rs.9,43,00,000/- transactions took place. Several complains have been received by various police stations, not only in Tamil Nadu, but through out India. Similarly, the account details of A20, A21, A22, A23 & A18 also reveals that transactions took place about several crores of rupees and several complaints have also been received against the petitioners.

6.Reading of the above said details shows that it is not a simple issue as stated by the petitioners, Several innocent victims have been cheated of several crores of rupees, which is unimaginable figure. It has been submitted by the petitioners that they they are also the



7. In the result, both the criminal original petitions are **dismissed**.

Index: Yes/No
Internet: Yes/No



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WEB COPY To,

- 1.The Sub Inspector of Police,
Cyber Crime Police Station,
Virudhunagar district.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G. ILANGO VAN, J

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Cr1.OP(MD)Nos.16993 and 17076 of 2023

25/09/2023



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