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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 04/01/2023

PRESENT

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

CRL OP(MD) . No.22176 of 2022

K.Sowmya

... Petitioner/Accused
Rank not known

Vs.

State rep.by
The Sub Inspector of Police,
Cyber Crime Police Station,
Karur District.
(Crime No.2/2022).

... Respondent/Complainant

For Petitioner : M/s.M.Maria Vinola, Advocate

For Respondent : Mr.T. Senthil Kumar,
Additional Public Prosecutor

PETITION 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 petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 420 IPC r/w. 66D of Information Technology act, in Crime No.2 of 2022 on the file of the respondent Police, seeks 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 on online trade with the promise of giving huge returns and believing the same, he has deposited a sum of Rs.64,81,846/- 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 petitioner submitted that the petitioner is innocent person and she has not committed any offence as alleged by the prosecution. He would submit that the petitioner is having no knowledge regarding the alleged money transfer and the petitioner had never benefited under the alleged money transfer. He would also submit that and the main accused has already been arrested and remanded to judicial custody and therefore, he seeks anticipatory bail.

4. The learned Additional Public Prosecutor would submit that 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 accused 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 petitioner is necessary and thereby, he opposes to grant anticipatory bail to the petitioners. He would further submit that the applications filed by the co-accused for grant of anticipatory bail have already been dismissed by this Court by order dated 14.12.2022 in CrI.O.P(MD)Nos. 20923 and 20928 of 2022.

5. Head the learned counsel appearing on either side and perused the materials on record.

6. 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 petitioner is 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 petitioner.

7. Accordingly, these Criminal Original Petition is dismissed.

Sd/-
04/01/2023

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/01/2023
Sub-Assistant Registrar (C.S.III)
Madurai Bench of Madras High Court,
Madurai - 625 023.



1. THE SUB 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) No.22176 of 2022
Date :04/01/2023

SP/SSS/SAR III/11/01/2023/3P/3C