



Crl.O.P.No.24682 of 2024

A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 318(4), 319(2), 336(3) and 340(2) of BNS, 2023 and Section 66D of Information Technology (Amendment) Act, 2008, in Crime No.41 of 2024, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution as per the defacto complainant, who is a Medical Practitioner is that on 24.08.2024 at about 4.42 p.m., he received a call from a mobile No.9580739182 stating that he was under digital arrest and pursuant to the same, the accused have threatened and made him transfer an amount of Rs.1,15,00,000/- to various accounts and cheated him. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been wrongly implicated in this case. He would further submit that the petitioner is a resident of Coimbatore and he was approached by some persons in the guise of arranging loans and thereby the petitioner has shared his account details and the account of the



petitioner has been misused by the accused. He would further submit that the petitioner is ready to appear before the respondent for the purpose of investigation. Hence, he prays for grant of anticipatory bail.

4.The learned Government Advocate (Crl. Side) would submit that it is a case of digital arrest and the petitioner is also a person in the syndicate and the group of accused have threatened the defacto complainant that he is under digital arrest and they have made him transfer amounts to the tune of Rs.1,15,00,000/-. He would further submit that to the account of the petitioner's Company an amount of Rs.48,00,000/- has been transferred and from there amount has been disbursed to various other accounts and as on today, out of Rs.48,00,000, only Rs.15,000/- is available in the account. He would further submit that the custodial interrogation of the petitioner is very much required since he would be the person who will be able to disclose about the other contacts in the offence and thereby he would object for grant of anticipatory bail.

5.Heard the learned counsel on either side and perused the materials available on record.



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6.Taking into consideration the facts and circumstances of the case; that submissions of the learned counsel on either side; that gravity of offence committed by the petitioner; that the amount of Rs.48,000/- has been transferred to the account of the petitioner; that no amount has been recovered so far and that custodial interrogation of the petitioner is required for the purpose of investigation, this Court is not inclined to grant anticipatory bail to the petitioner.

7.Accordingly, this Criminal Original Petition is dismissed.

07.11.2024

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