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

Date : 12.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH
CRL OP(MD). No.19447 of 2024

Shibu

... Petitioner / Accused
Rank Not Known

Vs

State of Tamil Nadu
rep by the Inspector of Police,
Karur Cyber Crime Police Station,
Karur District.
Crime No.9 of 2024

... Respondent/Complainant

For Petitioner : M/s.A.Sivasubramanian,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate(Crl. Side)

PRAYER :- For Anticipatory Bail in Crime No.9 of 2024 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 alleged offences under Sections 318(4) of BNS r/w. 66 D IT Act, in Crime
No.9 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that some unknown accused had made online



transaction with the defacto complainant and defrauded him. The petitioner was asked to attend an enquiry by issuing summons under Section 35(3) of the BNSS.

Apprehending arrest, the present petition has been filed before this Court.

3. Heard the learned counsel on either side and perused the materials placed on record.

4. In the considered view of this Court, the procedure under Section 35 of BNSS is adopted only where the police is intending to conduct an enquiry without resorting to arrest. Therefore, when the petitioner is called for an enquiry, he has to attend the enquiry and give the statement and inform the police about the facts known to him. This certainly does not give rise to any apprehension of arrest.

5. In view of the above, the petitioner shall attend the enquiry before the respondent police and the statement shall be recorded and the petitioner shall cooperate for the enquiry.

6. This criminal original petition is disposed of with the above direction.

sd/-
12/11/2024

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/ /2024

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



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

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

ORDER IN
CRL OP(MD) No.19447 of 2024
Date :12/11/2024

BV (25/11/2024) 3P/ 3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.