IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2025

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THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.7909 of 2025

Sathiyamoorthy ... Petitioner

Vs.

State rep. by
The Inspector of Police
CBCID
Cyber Crime Cell, Chennai
Crime No. 1 of 2025. ... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in Crime No.1 of 2025 on the file of the Respondent police.

For petitioner : Mr.D.Ashok Kumar

For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 419 and 420 of IPC and Section 66C of Information Technology Act in Crime No.1 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had collected 2150 SIM cards from other accused and sold the same to Cambodia and Thailand

Gangs of Cyber Crime offender and the same were used for the purpose of committing Cyber scams and that the petitioner was also involved in the said scam. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that this court has passed an order on 28.04.2025 and this petitioner came back to India on 08.05.2025 and appeared before the respondent police on 09.05.2025 and thereafter he had appeared before the police and cooperated with the investigation and disclosed the facts known to him in total. He further submitted that he had given the details of his bank account. According to the petitioner, through A5 and A6, he had purchased the Sim cards and later the same were shared in Cambodia. A5 & A6 started using the name of the petitioner which was now projected against him. In this case, A5 and A6 were arrested and granted bail by this court in Crl.OP.No.16774 of 2025 and they also appeared before the respondent police and cooperating with the investigation. The petitioner's passport has been now detained with the respondent. Hence, the question of the petitioner fleeing from the country does not arise. He appeared before the respondent police and cooperated with the investigation. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the

respondent police, filed a counter in which it is stated that the complainant was taken to 'Lakshmi footwear' shop at Vikravandi and one SIM card was purchased in his name. Likewise about 10 SIM cards were purchased in complainant's name on different dates by the accused persons. Later the complainant came to know that the accused persons had in similar manner purchased lot of SIM cards in the name of several persons and sold them to A1/petitioner for a higher price. The complainant also came to know through his friends that such SIM cards are sued for cheating and misappropriating the public's funds and illegal activities. He further submitted that the confession statement of the other accused namely A2, A4 and A6 revealed that 1200 SIM cards were handed over to A1 on receipt of Rs.13,00,000/- in his bank account in Vikravandi branch and from A4, he received 650 SIM cards on receipt of Rs.6,00,000/- partly in bank and partly in person. The respondent police seized one android phone and vehicle and produced the same before the Judicial Magistrate-1, Villupuram and remanded to the judicial custody. There is a clear involvement of Indian Nationals based abroad in this cyber scam. As per the proceedings of the Director General of Police in RC.No.8394292/Crime.2 (1)/2024, dated 03.02.2025, the case was transferred to CBCID for further investigation. The case was re-assigned in CBCID, Cyber Crime Cell.Cr.No.01/2025 u/s. 419, 420 of IPC r/w. 66 C of IT

Act, 2000 on 11.02.2025. The statement of the petitioner revealed that through his friend, Edison, he helped another Vimalraj in Cambodia, to secure a job and this petitioner worked as a customer supporter in Cambodia from March 2024 to March 2025. Convinced by his friends, they opened around 20 bank accounts and transferred cryptocurrency worth Rs.1,10,500/-. Edison asked the petitioner to buy Indian SIM cards for a "scam telecalling job" offering $40 per SIM. The petitioner earned a commission of Rs.5,75,000/- from selling around 2600 SIM cards. He further submitted that the petitioner had appeared before the respondent police from 09.05.2025 and he had also voluntarily handed over his passport to the police. His look out circular has been activated again, his chance to flee through the legal channel is not possible.

5. Heard both sides and perused the materials available on record**.**

6. Considering the facts and circumstances of the case, submissions made by the learned counsel on either side and that the petitioner is ready to abide by any condition, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on anticipatory bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties each for a like sum to the satisfaction of the ***learned***

Judicial Magistrate No.I, Villupuram, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner is directed to give the details with regard to 1200 SIM cards which have been purchased in his name to aid investigation

[c] The petitioner shall report before the respondent Police, everyday at 10.30 a.m. until further orders for further interrogation;

[d] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[e] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[f] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[g] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [**(2005)13

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gv

SCC 283**];**

[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

19.06.2025

Note:
1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The Judicial Magistrate No.1,Villupuram.

2. The Inspector of Police
CBCID
Cyber Crime Cell, Chennai

3. The Public Prosecutor,
High Court of Madras.

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