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Crl.O.P.No.10127 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 10127 of 2025

1.Sheik Abdullah
2.P.Pandeeswari

Petitioner(s)

Vs

The State Represented by,
Inspector of Police,
Cyber Crime Branch,
Salem District.
(Crime No.11 of 2025)

Respondent(s)

For Petitioner(s) : Mr.K.R.Manimaran

For Respondent(s) : Mr.S.Balaji,
Government Advocate (Criminal Side)

PRAYER To enlarge the petitioners on anticipatory bail in the event of his arrest by the respondent in Crime No.11 of 2025 on the file of the Respondent.

ORDER

The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 318 of BNS 2023 & Section 66D of Information Technology Act, in Crime No.11 of 2025, on the file of the respondent Police, seeks anticipatory bail.



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2. The case of the prosecution is that the defacto complainant was a divorcee and was looking for a bride for a second marriage through matrimonial websites; that he came into contact with first accused, who had also shared her ID in the website; that the first accused had displayed the photo of another woman in her profile picture; that the first accused claimed that her husband had died and children were hospitalised and asked for money through Gpay from the defacto complainant; that the defacto complaint paid Rs.3,000/- to the first accused; and that the petitioners 2 and 3 were the neighbour and mother of the first accused and also were part of the conspiracy. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the allegations are false; that petitioners has nothing to do with the alleged offence committed by other accused; that the main accused A1 was arrested; and in any case, the custodial interrogation of the petitioners is not required and sought for anticipatory bail to the petitioners.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioners, reiterated the prosecution case and on instructions submitted that accused/A1 was



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arrested and still in custody; and that the petitioners has no bad antecedents.

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6. Considering the nature of allegations, the fact that the main accused/A1 was arrested and still in custody; the petitioners has no bad antecedents; and since the custodial interrogation of the petitioners is not required for the purpose of investigation. Therefore, this Court is inclined to grant anticipatory bail to the petitioners on certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate No.3, Salem**, on condition that the petitioners shall execute a separate 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



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[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioners shall report before the respondent Police daily at 10.30 a.m., until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners shall not abscond either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the 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)AIR SCW 5560]*;

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

drl

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To

1. The Inspector of Police,
Cyber Crime Branch,
Salem District.

2. The Public Prosecutor,
High Court, Madras.

SUNDER MOHAN J.

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