IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.Nos.16919 and 17308 of 2025

Subin ... Petitioner/A6
in Crl.O.P.No.16919 of 2025

R.S.Segar ... Petitioner/A1
in Crl.O.P.No.17308 of 2025

Vs.

The State represented by its
Inspector of Police,
Cyber Crime Department,
Avadi, Chennai. ... Respondent in
Crl.O.P.No.16919 of 2025

The State represented by its
The Inspector of Police,
CCD-I, Avadi Police Station,
Thiruvallur District.
(Crime No.52 of 2025) ... Respondent in
Crl.O.P.No.17308 of 2025

COMMON PRAYER : Criminal Original Petitions filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.52 of 2025 on the file of the respondent police.

Crl.O.P.No.16919 of 2025

For Petitioner	:	Mr.A.S.Mohammed Manzoor
For Respondent	:	Mr.L.Baskaran Government Advocate (Crl.Side)

Crl.O.P.No.17308 of 2025

For Petitioner	:	Dr.N.Moorthi
For Respondent	:	Mr.L.Baskaran Government Advocate (Crl.Side)

COMMON ORDER

The petitioners, who were arrested and remanded to judicial custody on 07.05.2025, for the offence punishable under Sections 318(4), 111(3) of BNS, 2023 and Section 66(D) of I.T. Act, 2008 in connection with Crime No.52 of 2025, registered on the file of the respondent, seek bail.

2.The case of the prosecution is that the petitioners along with other accused cheated the de-facto complainant to the tune of Rs.1,04,40,265/- under the guise of on-line trading.

3.The contention of the learned counsel for petitioners is that the petitioners/A1 & A6 were arrested by the respondent on 07.05.2025. As regards A1, he is running a Xerox shop and friend of A2. A2 is running a E-Service Centre, who sought certain details which was provided by the petitioner/A1. In fact, the A1's bank account and his transactions were completely carried out by A2 and the petitioner/A1 has been made as a scape goat. As regards petitioner/A6, the learned counsel submitted that no money has been transacted in any of the A6's bank account. The only allegation is that the petitioner/A6 collected bank account credentials from friends and known persons and handed over the same to A2 facilitating on-line transaction and subsequently threat committed. He is not the beneficiary and not part of the conspiracy or the act of A2 in this case.

4.The learned Government Advocate (Crl . Side) appearing for the respondent police filed his counter and submitted that the defacto complainant namely Tr.S.T.Ramasamy has received a trading investment message from Sharekhan Trading Ltd through YOUTUBE/Whatsapp and the fraudster Mr.Manoj Joshi guided the victim to invest some amount to do trading in the given Link ref:https://www sharekhan.top/s/JUBKBYdF Platform Name :Mirae Asset Sharekhan, to earn money and the victim believing their words joined the Whatsapp group as a member in "Vip029 Sharekhan Chakra of Wealth" "Vip040 Sharekhan Nift Investor Club". The victim invested a sum of Rs.1,04,40,265/- after that he came to know that he was cheated by the fraudsters and lodged a complaint on 06.03.2025 before the Commissioner of Police, Avadi Police Commissionerate, Avadi, Chennai-54 and a case was registered in Cyber Crime Avadi PS Crime No.52/2025 under Section 318(4) of the Bharatia Nyaya Sanhita, 2023 and Section 66-D of the Information Technology Act, 2000. The over tact committed by the petitioners and other accused are as follows:

Sl.No.	Accused	Role of the accused
01.	A1 – Sekar M/a53, S/o Subramaniyan	The Victim transferred Rs.24,10,000/- from his ICICI Bank A/c No.602701218304 to the Accused bank Account Karur Vysya, A/c No.1239013000000021, IFSC Code KVBL0001239 ,in the name of Tr.Sekar and no available balance in the Account Number. 6 NCRP complaints in Chennai CCB, Pallikaranai District Cyber Police Station, Tambaram City CCB and two in Bangalore City Cyber Police Station.
02.	A2-Jayaprakas M/a 35, S/o Jayakumar,	Jayaprakash was running E-Service Centre, he created forgery documents and false MSME Certificate submitted to Various Banks and by using such certificates opened the Current Account and Savings Account for the purpose of online Trading through that cheated money from the General public across the country.
03.	A3-Ilayaraja M/a 42, S/o Chitarasan,	Illayaraja acted as an agent, collected bank account credentials from friends and known persons and handing over to Accused No. 2 – Jayaprakash .
04.	A4-Anvar Basha M/a 29, Abdul Haleem,	Anwar Basha acted as an agent, collected bank account credentials from friends and known persons and handing over to Accused No. 2 – Jayaprakash .
05.	A-5 -Suhendiran M/a 36, S/o Palani	Suhendiran is also an agent, collected the bank account credentials from friends and known persons and handing over to his associates in Malaysia.
06.	A6 - Subin M/a 30, S/o Manikandan,	Subin has been identified as a key link in a cyber fraud syndicate. He acted as an agent, collected bank account credentials from friends and known persons and handing them over to Accused No. 7 – Sheik Abdullah, who is also arrested and in judicial custody. Subin was in direct contact with A2 – Jayaprakash, the prime accused. During the investigation, the petitioner made a phone call to A2 – Jayaprakash. When A2 questioned regarding A6's whereabouts, he misleadingly stated that he was in Vellore,while technical surveillance confirmed that A6 was actually in Chennai. iii) Based on this information, the police party rushed to the spot and apprehended A6. The petitioner was remanded to judicial custody on 07.05.2025.
07.	Sheik Abdullah M/a 46, S/o Mohamed Kani	He collected bank accounts along with other related kit including ATM cards , handed over to one Alex in Utharakand.

5.He further submitted that as regards A1, through his bank account several on-line transactions were made. As regards A6, his mobile phone seized. From his mobile phone valuable data collected. These valuable data are being now tested at the Forensic Lab. The petitioners had played an active role. The specific role played by the petitioners, how they facilitated other accused and all the accused committing on-line fraud would be confirmed after collecting forensic report. The investigation is at the crucial stage. If the petitioners are let out on bail, there is every possibility of investigation to be tampered with and the investigation cannot be progressed. Hence, strongly opposed for granting bail to the petitioners.

6.Considering the nature of offence, this Court is not inclined to entertain these bail petitions and the same stand dismissed.

19.06.2025

rsi
Index: Yes/No
Internet : Yes/No
Speaking order /Non-speaking order

To

1.The Judicial Magistrate No.I,
Poonamallee.

2.The Inspector of Police,
CCD-I, Avadi Police Station,
Thiruvallur District.

3.The Public Prosecutor,
High Court of Madras.

M.NIRMAL KUMAR, J.

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Crl.O.P.Nos.16919 and 17308 of 2025

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