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Crl.O.P.No.18135 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.18135 of 2025

1.Marimuthu

2.Anbumani

... Petitioners

Vs.

The State represented by
The Inspector of Police,
CBCID, Organized Crime Unit,
Salem.

Crime No.03 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in Crime
No.03 of 2025 on the file of the respondent.

For Petitioners : Mr.Madhan for
Mr.O.Raman

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent



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police for the offences punishable under Sections 419, 465, 468, 471, 420 of I.P.C and Section 66 D of Information Technology Act and Section 3 r/w 5 of Emblems and Name (Prevention of Improper Use) Act, in Crime No.03 of 2025, on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that, there is a sachet portal being maintained by the RBI for lodging complaints relating to unauthorized deposits, in which a person namely Aiyamperumal lodged a complaint stating that some groups operating throughout Tamil Nadu are involved in collection of unauthorized deposits from the public at large with a claim that they had received several thousand crores from Central Government through RBI for the sale of Iridium Copper and as they do not have funds to pay service fee to release the fund and have offered public to invest money with an assurance of lucrative returns and they also have issued forged credit advice letters, payment release order and emails purportedly issued by RBI to impress the public at large and thereby they have collected huge amount but they neither returned the assured amount nor repaid the amount received. Hence the case.



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3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they had been falsely implicated in this case. The first petitioner have been served with 41 A of Cr.P.C. notice and he had participated in the investigation. He further submitted that without prejudice to his defence, the first petitioner is ready and willing to deposit a sum of Rs.5,00,000/- to the credit of Crime No.03 of 2025. Hence, he prayed for grant of anticipatory bail to the first petitioner.

4.Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the second petitioner has been detained under Tamil Nadu Act 14 of 1982.

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

6.Accordingly, the first petitioner is directed to deposit a sum of **Rs.5,00,000/- [Rupees Five Lakhs Only]** to the credit of Crime No.03 of 2025 before the trial Court, **and the trial Court shall deposit the same in an interest bearing account and** on such deposit and production of proof,



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the first petitioner is ordered to be released on 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.IV, Salem**. As regards the first petitioner, this criminal Original Petition is allowed.

[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 first petitioners shall report before the respondent Police daily at 10.30 a.m for a period of three weeks; thereafter as and when required for interrogation;**

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

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

[e] the first 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;



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[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the first 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 SCC 283]**;

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

7.It is seen that the second petitioner has been detained under Tamil Nadu Act 14 of 1982. Therefore, as regards the second petitioner, this Criminal Original Petition stands dismissed as infructuous.

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M.NIRMAL KUMAR, J.

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To

1.The Judicial Magistrate No.IV,
Salem.

2.The State represented by
The Inspector of Police,
CBCID, Organized Crime Unit,
Salem.

3.The Public Prosecutor,
High Court of Madras.

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