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CrI.O.P.No.17742 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 16.07.2025
PRONOUNCED ON : 05.08.2025

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.17742 of 2025

Ganesan

... Petitioner

Vs.

State rep. by
The Inspector of Police,
Cyber Crime Branch,
Coimbatore,
Coimbatore District.
(Crime No.52 of 2025)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the
event of his arrest in Crime No.52 of 2025, on the file of the respondent.

For Petitioner : Mr.R.C.Paul Kanagaraj for
Mr.W.Camyles Gandhi

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



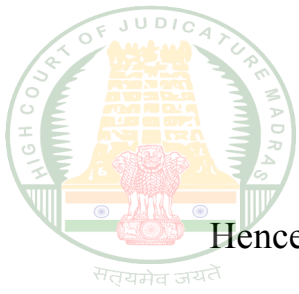
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ORDER

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The petitioner who apprehends arrest at the hands of the respondent Police for offence under Section 318(4) of BNS and Section 66D of Information Technology (Amendment) Act, 2008 (U/s 420 of IPC) in Crime No.52 of 2025 on the file of the respondent Police, seeks anticipatory bail.

2.The learned counsel for the petitioner submitted that the petitioner is not involved in any of the offence as alleged by the prosecution and he has been made scapegoat. He further submits that in fact, the petitioner engaged in the business of share market trading and the defacto complainant approached the petitioner for investment through his common friends. The defacto complainant purchased shares, gained profit, thereafter due to market fluctuation, the share values dropped. The defacto complainant failing to understand the market fluctuation, had projected a case as though the petitioner made false promise of high returns and failed to secure the same. It is not the petitioner who invested the money of defacto complainant in share market, the shares purchased by defacto complainant directly and the petitioner acted as trading agent. In such case, blaming the petitioner as though he deceived the defacto complainant, would not arise.



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Hence, he prayed for anticipatory bail.

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3.The learned Government Advocate (Crl. Side) appearing for the respondent Police strongly opposed the petitioner's contention and submitted that the petitioner created trust, made the investors to invest in share market and collected around Rs.19 lakhs from the defacto complainant and others assuring huge profit. The petitioner and his team with technical assistances, created websites, posted websheets, XLR sheets showing the investments and projecting trading business and deceived the defacto complainant and others. Later, the websites became inaccessible and finally, deleted. Having technical knowledge in creation of websites, the petitioner collected huge sums of money from innocent investors. He further submits that the petitioner is absconding, apart from this case, the petitioner is involved in two more cases of similar nature in Crime Nos.19 & 22 of 2025. The custodial interrogation of the petitioner is very much necessary to unearth deep-rooted conspiracy and to find the trail of ill-gotten money. Hence, he strongly opposed for grant of anticipatory bail.

4.Considering the submissions and on perusal of materials, it is seen



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that the petitioner created trust over the investors in his trading app, deceived the defacto complainant and others to invest in share market.

Believing the same, the defacto complainant gave around Rs.19 lakhs, but no genuine trading conducted. It is also seen that the petitioner and his family members viz., son and wife involved in two other cases of similar nature in Crime Nos.19 & 22 of 2025, in which, the petitioner's son and wife arrested and remanded to judicial custody, the petitioner is absconding. The confession of accused confirmed that it is the petitioner who is the backbone and force behind the entire transactions. Hence, custodial interrogation is necessary to unearth the deep-rooted conspiracy and to find out the money trail and recovery of ill-gotten money.

5.In view of the above, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed.

05.08.2025
(3/3)

Speaking Order/Non Speaking Order
Index : Yes/No
Neutral Citation: Yes/No
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- To
- 1.The Inspector of Police,
Cyber Crime Branch,
Coimbatore,
Coimbatore District.
 - 2.The Public Prosecutor,
Madras High Court.



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M.NIRMAL KUMAR, J.

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PRE-DELIVERY ORDER IN
Crl.O.P.No.17742 of 2025

05.08.2025
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