IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.19436 of 2025

S.R.Kanna ... Petitioner/ Accused No.3

Vs.

State rep. by
The Inspector of police,
Cyber Crime Wing,
Ashok Nagar,
Chennai.
Crime No.93 of 2024 ... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on bail in Crime No.93 of 2024 on the file of the respondent police.

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 04.02.2025, for the offence punishable under Sections 318(4), 111 of BNS, 2023 r/w.Section 66(C) and 66(D) of Information technology Act, 2000 in Crime

No.93 of 2024 on the file of the respondent.

2. The contention of the petitioner is that the petitioner was arrested and remanded to judicial custody on 22.06.2025. The petitioner is arrayed as A3. The petitioner along with other accused have contacted the defacto complainant through whatsapp, calling to be an investment advisory for GEPL, Capital Pvt. Ltd., and lured him to invest in a scheme named “Falcon Plan IV” on the assurance of guaranteed returns upto 1600% within a period of four months through high speed trading application allegedly based on Indo-UK platforms. Believing the same, the defacto complainant has transferred a sum of Rs.1,82,97,543/- as investment through multiple online transactions made to various bank accounts between 16.10.2024 and 09.12.2024. When the complainant attempted to withdraw the profits, he was asked to transfer the amount and on verification, he came to know that he was cheated by the accused. Hence the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner has been falsely implicated in this case. The petitioner collected the KYC details and other information as sought for by A1. He further submitted that

it is A1 who was doing the business and the petitioner is doing part time job for commission. He further submits that A6 and A8 has been granted bail.

4. The learned Government Advocate (Crl. Side) strongly opposed for grant of bail to the petitioner stating that A6 and A7 opened the bank account and gave the details to the petitioner and obtained commission. On 21.06.2025 the police issued 35(3) summon to the petitioner to appear before the respondent police for enquiry and upon enquiry, the Police came to know that the petitioner and other accused have obtained commission for a sum of Rs.15,000/- for each account and assisted to commit online cheating. A3, A6 to A8 were arrested. A6 and 8 were released on bail. The specific overt act of the petitioner is that he used to collect bank accounts and has given instruction to A6 to open a savings account and had given commission of Rs.5,000/- to A6 and taken his passbook, user name and password and handed over the same to A1, a Cyber crime agent. The petitioner has opened multiple accounts and received commission for each account. If the petitioner is let out on bail, there is a possibility of absconding and he will tamper with the evidence and threaten the witnesses, which would create hardship for further investigation of this case.

5. Considering the bad antecedents of the petitioner, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

09.07.2025

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To

1.The Inspector of police,
Cyber Crime Wing,
Ashok Nagar,
Chennai.

2. The Public Prosecutor,
High Court of Madras.

M.NIRMAL KUMAR, J.

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