



CRL OP(MD). No.1742 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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Anbumani,
S/o Kovil Pillai,
1/245a North Street,
Manur,
Tirunelveli District.

... Petitioner/ Accused 2

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Cyber Crime Wing III,
CCW Kanyakumari Police Station,
Kanyakumari District.
Crime No. 58/2024.

... Respondent/ Complainant

For Petitioner : Mr.A.Robinson,
Advocate.

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS



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PRAYER :-

For Bail in Crime No.58 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / Accused No.2, who was arrested and remanded to judicial custody on 07.12.2024 for offences under Section 420 of IPC and section 66(d) of Information Technology Act, 2008 in Crime No.58 of 2024, on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that the defacto complainant saw an advertisement of share market in the Facebook. He joined in the Whatsapp group based on the same. As per the instructions given by the admin of the Whatsapp group and the other members, the defacto complainant paid a total sum of Rs.17,50,000/- on several dates to various bank accounts. Later it came to light that the entire transaction is a fraud and the defacto complainant was cheated. There are totally six accused persons in this case and the petitioner has been arrayed as A2.

3. The learned Additional Public Prosecutor appearing for the respondent Police submitted that A1 was initially working in Cambodia and he had contact with one Belgin and this person continues to work in Cambodia. Later, A1 instigated A2 to A4 and made them open current account. A1 received the cheque book and the ATM card from A2 to A4 and the defacto complainant was made to deposit the amount in



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the bank account of A2 and A4. Thereby, the entire amount was siphoned off. Insofar as the overt act of A3 is concerned, he is the close associate of A2 and A5 and both of them were working in a bank. A1 is said to have paid a sum of Rs.30,000/- for the purpose of opening the bank account. He further submitted that the accused persons had intentionally cheated the defacto complainant and five accused persons have been arrested in this case and one person is absconding and he is in Cambodia.

4. Heard the learned Counsel appearing on either side.

5. Taking into consideration the facts of the case and considering the fact that the petitioner is a bank employee, who had arranged to open two bank accounts by receiving a sum of Rs.60,000/- for each bank account and considering the fact that this petitioner has suffered incarceration from 07.12.2024 and there are no previous cases against the petitioner and this Court had already granted bail to Accused Nos.3 and 5 in Crl.O.P.(MD).Nos.925 and 1238 of 2025, by an order dated 23.01.2025, this Court is inclined to grant bail to the petitioner subject to the following conditions.

6. Accordingly, the criminal original petition is ordered and the petitioner is ordered to be released on bail on 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.II, Nagercoil, Kanyakumari District and on further conditions that:-



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[a] 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 petitioner shall report before the respondent Police every Monday and Friday at 10.30 a.m. until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner 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 petitioner 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 BNS, 2023.

sd/-
29/01/2025

/ TRUE COPY /

29/01/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

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1 THE JUDICIAL MAGISTRATE NO.II,
NAGERCOIL, KANYAKUMARI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.

3 THE SUPERINTENDENT,
CENTRAL PRISON,
KANYAKUMARI DISTRICT.

4 THE INSPECTOR OF POLICE,
CYBER CRIME WING III,
CCW KANYAKUMARI POLICE STATION,
KANYAKUMARI DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.A.ROBINSON, Advocate (SR-1022[I] dated 29/01/2025)

ORDER

IN

CRL OP(MD) No.1742 of 2025

Date :29/01/2025

SA/SAR. /29.01.2025/5P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.