



CRL.OP(MD).No.5370 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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DATED: 28.04.2025

PRESENT

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL.OP(MD).No.5370 of 2025

Keerthi
W/o.Srinivasan

... Petitioner / Accused Rank Not Known

Vs.

The State of Tamil Nadu rep by
The Inspector of Police,
CCD-III, Police Station,
Madurai,
Madurai District.
(Crime No.5 of 2024)

... Respondent / Complainant

PRAYER :- The Criminal Original Petition filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant pre-arrest bail to the
petitioner in Crime No.5 of 2024 on the file of the respondent-police.

For Petitioner : Mr.M.P.Saravanan,
Advocate.

For Respondent : Mr.S.S.Manoj,
Government Advocate
(Criminal Side)

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 20.03.2025
under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying



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to grant an order of pre-arrest bail.

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2. The petitioner apprehends arrest at the hands of the respondent- police for the offence punishable under Section 420 of Indian Penal Code, 1860, and Section 66D of Information Technology (Amendment) Act, 2008, in Crime No.5 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that the defacto complainant, lodged a complaint before the respondent-police stating that, on 28.01.2024, she received an online job link through her WhatsApp number. A person informed her that by subscribing to a YouTube channel and posting a screenshot, she could earn Rs.50 per channel. He further instructed her to join a Telegram group via a link shared on WhatsApp. Following this, she created a separate ID and password for herself on Telegram. Subsequently, the said person informed her that if she invested money and completed certain tasks, she would earn more benefits. Believing his words, she initially invested Rs.2,000/- and received Rs.2,800/- in return. Encouraged by this, she continued to transfer money and, in total, transferred Rs.12,29,860/- on various dates from her Indian Overseas Bank account. However, after receiving the initial amount, the person failed to provide any further returns and cheated her of the entire sum of Rs.12,29,860/- through online fraudulent means. Hence, the case.



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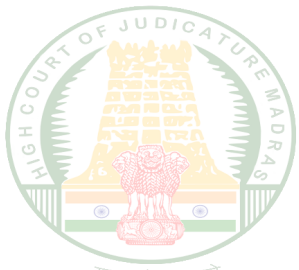
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4. Mr.M.P.Saravanan, the learned counsel for the petitioner, submits that the petitioner is ready and willing to deposit a sum of Rs.1,44,360/- (Rupees One Lakh Forty-Four Thousand Three Hundred and Sixty only) in connection with Crime No.5 of 2024 on the file of the respondent police, before the learned Judicial Magistrate No.I, Madurai. He also submits that the petitioner is ready to abide any conditions to be imposed by this Court and accordingly, he prays for the grant of pre-arrest bail.

5. *Per contra*, Mr.S.S.Manoj, the learned Government Advocate (Criminal Side) appearing for the respondent police, submits that the petitioner, after receiving the initial amount, failed to provide any further returns and cheated the defacto complainant of a total sum of Rs.12,29,860/- through online fraudulent means. He therefore contends that if pre-arrest bail is granted to the petitioner, she will cause threat to the defacto complainant and tamper with the evidence. Therefore, he submits that custodial interrogation of the petitioner is necessary in this case. Accordingly, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the records.

7. Considering the facts and circumstances of the case and also taking into account that the petitioner is ready to deposit a sum of Rs.1,44,360/- (Rupees One Lakh Forty-Four Thousand Three Hundred and Sixty only) and with a view to give



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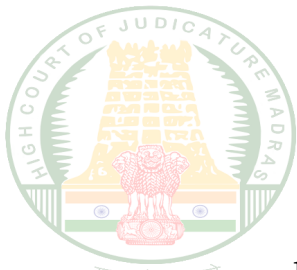
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one more opportunity to the petitioner to reform herself, this Court is inclined to grant pre-arrest bail to the petitioner. Accordingly, pre-arrest bail is granted to the petitioner subject to the following conditions:

(i) The petitioner shall be released on pre-arrest bail in the event of her arrest or in the event of her surrender before the learned Judicial Magistrate No.I, Madurai, within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned Judicial Magistrate No.I, Madurai.

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate No.I, Madurai shall obtain a copy of any one of identity proofs to ensure their identity.

(iii) The petitioner shall deposit a sum of Rs.1,44,360/- (Rupees One Lakh Forty-Four Thousand Three Hundred and Sixty only) to the credit of the Crime No.5 of 2024 on the file of the respondent-police, before the learned Judicial Magistrate No.I, Madurai, within a period of one month from the date of receipt of a copy of this order. In turn, the learned Judicial Magistrate shall deposit the said amount in an interest bearing Fixed Deposit in any nationalized Bank initially for a period of



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one year and renew them periodically until the final order / judgment is passed in the case in Crime No.5 of 2024. The learned Judicial Magistrate or Trial Court shall pass orders *qua* entitlement of the said amount in its final order / Judgment.

(iv) The petitioner shall appear and sign before the respondent-police weekly twice i.e., on every Sunday and Monday at 09.00 a.m. until further orders.

(v) The petitioner shall make herself available for interrogation by a police officer as and when required.

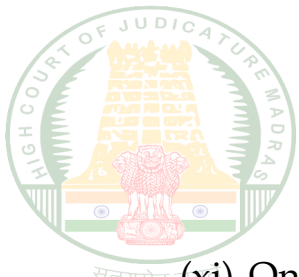
(vi) The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

(vii) The petitioner shall also not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence.

(viii) The petitioner shall not leave India without the previous permission of the Court.

(ix) The petitioner shall furnish her residential address and mobile number to the concerned Magistrate.

(x) The petitioner shall not enter into the defacto complainant's house or her work place.



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(xi) On breach of any of the aforementioned conditions, the learned Judicial Magistrate or Trial Judge, as the case may be, is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by them as laid down by the Hon'ble Supreme Court in *P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283]*.

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated *supra*.

Sd/-

28/04/2025

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Sub Assistant Registrar

(CS-I / II / III / IV)

Madurai Bench of Madras High Court,
Madurai.

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To

1.The Judicial Magistrate No.I,
Madurai.

2.Do Through
The Chief Judicial Magistrate,
Madurai.



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3.The Inspector of Police,
CCD-III, Police Station,
Madurai,
Madurai District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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