



CRL OP(MD).No.9531 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

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S.Muhammed Fousan,
S/o.Shanavaskhan,
Fousan Manzil,
Erappil, Mancode PO, Chitra,
Kollam, Kerala.

..Petitioner/ Accused-4

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Cyber Crime Police Station, CCD-III,
Karur.
(Crime No.03 of 2025)

.. Respondent/Complainant

For Petitioner : Mr.N.Ananda Kumar
Advocate.

For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.03 of 2025 on the file of the Respondent Police.



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ORDER : This Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody on 21.04.2025 for the offences punishable under Sections 318(4) of BNS Act, r/w.66 (D) of Information Technology Act in Crime No.03 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the Defacto-complainant through online found a trading platform application dealing with INP Fund (PUTNHM International Fund) by way of instagram Ad and he had contacted the concerned person and started to bought shares and invested huge amount in the online trading platform. Whenever, he attempted to withdraw the amount which was invested in the trading platform, he was not able to withdraw the money. Then only he came to know that he was cheated by the accused persons. Hence, the case.

3. The learned counsel for the petitioner would submit that the third accused is the key person of the said act of cheating. The petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. Moreover, the third accused was arrested based on the confession statement of this petitioner. The petitioner is ready and willing to abide any conditions that may be imposed by this Court. He would further submit that the petitioner is in custody from 21.04.2025



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nearly 50 days. Hence, he seeks bail.

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4. The learned Government Advocate (Criminal Side) would submit that the accused persons colluded and cheated the defacto-complainant in the name of online trading and cheated huge amount from the Defacto-complainant. In this case, A3 is the key person and committed such kind of cheating. In this case, A1 and A2 already enlarged on bail by the learned Judicial Magistrate, Karur. The third accused was arrested under Tamilnadu Act 14 of 1982. The allegations are serious in nature. Hence, he objected to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that A1 and A2 were already enlarged on bail by the learned Judicial Magistrate, Karur, at this stage most of the investigation might have been completed, the petitioner/4th accused remanded into judicial custody on 21.04.2025, taking into consideration of the period of incarceration, this court is inclined to grant bail to the petitioner, subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate No.II, Karur 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 furnish his residential address and mobile number to the Judicial Magistrate No.II, Karur. If the petitioner changes his residential address, he shall report the same to the Judicial Magistrate No.II, Karur;

[c] the petitioner shall appear and sign before the respondent police daily at 10.30 a.m. until further orders.

[d] the petitioner shall not abscond either during investigation or trial.

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

[f] 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under



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Section 269 BNS.

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Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

gvn
TO

1. THE JUDICIAL MAGISTRATE NO.II,
KARUR
2. DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE, KARUR.
3. THE OFFICER INCHARGE,
SUB JAIL,
KARUR.
4. THE INSPECTOR OF POLICE,
CYBER CRIME POLICE STATION, CCD-III,
KARUR.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.N.ANANDA KUMAR, Advocate (SR-6164[I] dated 11/06/2025)

ORDER

IN

CRL OP(MD) No.9531 of 2025

Date :11/06/2025

HPS/11.06.2025 /5P/7C

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