



WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).Nos.10641 & 10681 of 2025

Nizar Ahammed,
S/o.Jakhirhussain

...Petitioner/ Accused in
Crl.O.P.(MD)No.10641 of 2025

Lourthu Mary,
S/o.Sesuraj

...Petitioner/ Accused in
Crl.O.P.(MD)No.10681 of 2025

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Cyber Crime Branch,
Theni.
(Crime No.11 of 2025)

...Respondent/Complainant

For Petitioners : Mr.Nandha Kumar.M,
(in both petitions) Advocate.

For Respondent : Mr.Thanga Aravindh.B,
(in both petitions) Government Advocate (Crl.Side)



PETITIONS FOR BAIL Under Sec.483 of BNSS

COMMON PRAYER :- For Bail in Crime No.11 of 2025 on the file of the Respondent Police.

COMMON ORDER : This Court made the following order :-

The petitioners/Accused, who were arrested and remanded to judicial custody on 05.06.2025 for the offences punishable under Sections 66(C) and 66(D) of Information Technology Act r/w. Sections 318(2) and 318(4) of BNS, 2023 in Crime No.11 of 2025 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the de-facto complainant, an unmarried man, had registered his profile on a matrimonial website. Pursuant to this, a woman contacted the de-facto complainant, expressing her willingness to marry him. Subsequently, she persuaded him to invest money in cryptocurrency for their future. The said woman also provided twelve bank account numbers to the de-facto complainant. Believing her words, the de-facto complainant deposited a total sum of Rs.88,58,958/- into those accounts. Out of the said amount, the 6th accused/petitioner in CrI.O.P.(MD)No.10681 of 2025, whose bank account was one among them, received a sum of Rs.2,70,030/-. The 5th accused/petitioner in CrI.O.P. (MD) No.10641 of 2025, who is a neighbour of the 6th accused and was allegedly using the 6th accused's bank account, has also been implicated in this case. Hence, the present case.



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3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and are in no way connected with the offences as alleged by the prosecution. They have been falsely implicated in this case. The petitioners are ready and willing to abide any conditions that may be imposed by this Court. He further submitted that the petitioners are in custody from 05.06.2025. He however submitted that the 6th accused/the petitioner in CrI.O.P.(MD)No.10681 of 2025 is ready and willing to deposit the sum of Rs.2,70,030/- to show his bonafide. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) submitted that as on date, there are totally six accused persons in this case, and the petitioners have been arrayed as A5 and A6. A1 to A4 were arrested and subsequently released on bail by the learned Principal Sessions Judge, Theni, in CrI.M.P. Nos.1026, 1089, 1172, and 1182 of 2025, dated 02.06.2025, 05.06.2025, 12.06.2025, and 19.06.2025, respectively. He also submitted that there are no previous cases registered against the petitioners, and that an amount of Rs.3,90,000/- has been recovered till date. However, he opposed to grant bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case, and taking note of the fact that the petitioners were remanded to judicial custody on 05.06.2025, and that there are no previous cases registered against the petitioners,



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and that the co-accused have already been arrested and subsequently released on bail, and that as the date of registration of F.I.R. is 20.03.2025, by this time most of the investigation might have been completed, and considering the period of incarceration suffered by them, and also considering the bonafide expressed by the 6th accused/petitioner in CrI.O.P.(MD)No.10681 of 2025, this court is inclined to grant bail to the petitioners, subject to the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Theni and on further conditions that :-

[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 petitioners shall furnish their residential address and contact number to the learned Judicial Magistrate, Theni. If the petitioners change their residential address, they shall report the same to the learned Judicial Magistrate, Theni;

[c] the petitioner in CrI.O.P.(MD)No.10681 of 2025/6th accused shall deposit a sum of Rs.2,70,030/- (Rupees Two Lakhs Seventy Thousand and Thirty only) to the credit of the Crime No.11 of 2025 on the file of the respondent-police, before the



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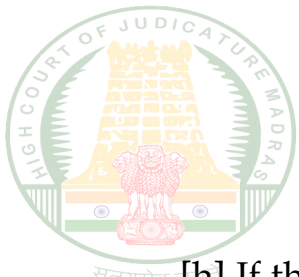
learned Judicial Magistrate, Theni, and on such deposit being made, the learned Judicial Magistrate shall accept the sureties furnished by the petitioners and learned Judicial Magistrate shall deposit the said amount in an interest bearing Fixed Deposit in any nationalized Bank initially for a period of one year and renew them periodically until the final order / judgment is passed in the case in Crime No.11 of 2025. The Trial Court shall decide the entitlement to the deposit amount at the time of passing the final order or judgment.

[d] the petitioners shall report before the Inspector of Police, Cantonment Police Station, Trichy District daily at 10.30 a.m., until further orders. Further, the petitioners shall report before the respondent police as and when required for the interrogation;

[e] the petitioners shall not abscond either during investigation or trial;

[f] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[g] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court themselves as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]; and;



[h] If the accused/petitioners thereafter absconds, a fresh FIR can be registered
under Section 269 of BNS.

sd/-
26/06/2025

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26/06/2025
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

- 1 THE JUDICIAL MAGISTRATE, THENI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THENI.
- 3 THE OFFICER INCHARGE, DISTRICT PRISON, THENI.
- 4 THE INSPECTOR OF POLICE, THENI, CYBER CRIME BRANCH, THENI.
- 5 THE INSPECTOR OF POLICE, CANTONMENT POLICE STATION,
TRICHY DISTRICT.
- 6 THE ADDITIONAL PUBLIC PROSECUTOR MADURAI BENCH OF MADRAS
HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD).Nos.10641 & 10681 of 2025
Date :26/06/2025

NBF/26.06.2025 6P/7C

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