



CRL OP(MD).No.12737 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31/07/2025

PRESENT

THE HONOURABLE MR.JUSTICE P. VADAMALAI

CRL OP(MD).No.12737 of 2025

A.Maria Benedict,
S/o.Anthoni Raj,

...Petitioner/ Accused

Vs

The State of TamilNadu
rep.by
The Inspector of Police,
CCD-III, Cyber Crime Police Station,
Karur District.
(Crime No.8 of 2024)

... Respondent/Complainant

For Petitioner : M/s.A.Paul Selvam
Advocate.

For Respondent : Mr.M.Karunanithi
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.8 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 318(4) of BNS Act, 2023 r/w.66(d) of IT Act, 2000 in Crime No.8 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto-complainant was doing online trading for the past four years. In the meantime, she had seen the Accel advertisement in the month of May-2024 following that she was touching the link of the advertisement, her mobile phone was connected in the whatsapp group in the name of casey aylward after that in the name casey aylward an unknown lady contacted her through phone and taught her about the trading business after that two persons had contacted and advised her about the purchasing of shares regularly based on their advice, she had invested Rs.12,07,000/- in 17,000 shares, then they showed her balance for a sum of Rs.39,45,000/- in her account for which they advised her to pay Rs.6,00,000/- as a service fees then only she can withdraw the said amount, again they advised her to pay Rs.5,85,000/- as App usage fees for the withdraw of the above said amount. Based on the request, she have paid totally Rs.11,85,000/- till on 25.07.2024. However, the defacto-complainant could not withdraw the above said amount as promised by the above said two persons. When the defacto-complainant tried to contact them through their mobile phone they



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promised her that they would sent the amount to her, but they did not do that and thereby she was cheated by them. Hence, the case.

3. The learned counsel for the petitioner would submit that the name of this petitioner is not mentioned in the FIR and he was falsely implicated in the present case. Based on the confession statement of fourth accused, this petitioner was arrayed as Accused No.5. The petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. This petitioner's son who is aged about six years old has been diagnosed with Dengue fever with warning signs and he is currently being treated as in patient. The learned Counsel for the petitioner further submits that this petitioner is ready and willing to deposit Rs.2,50,000/- to the credit of Cr.No.8/2024, to that effect, he filed a memo before this Court dated 31.07.2025. The petitioner is ready and willing to abide any conditions which may be imposed by this Hon'ble Court. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that this petitioner and other were cheated huge amount by way of online trading. Total amount involved in this case is Rs.27,61,000/-, already Rs.16,41,000/- was returned by the accused persons, remaining amount of Rs.11,20,000/- was not returned by the accused persons. In this case, there are totally five accused persons, based on the confession statement of fourth accused, this petitioner was arrayed as Accused No.5.



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In this case, A1 to A4 were enlarged on bail by the learned Judicial Magistrate, Karur.

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This petitioner is having one previous case. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, the Accused Nos.1 to 4 were enlarged on bail by the Judicial Magistrate, Karur and also considering the bonafide expressed by the learned Counsel for the petitioner that this petitioner is ready and willing to deposit Rs.2,50,000/- to the credit of Cr.No.8/2024, to that effect he filed a memo before this Court on 31.07.2025, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of his arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate No.II, Karur on condition that the petitioner shall execute 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the Judicial Magistrate No.II, Karur, and on further conditions that:

(a) the petitioner and 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;



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[b] the petitioner shall make deposit of **Rs.2,50,000/- (Rupees Two Lakhs Fifty Thousand only)** to the credit of **Crime No.8 of 2024**, without prejudice to his defence before the trial Court; and on such deposit being made, the learned Judicial Magistrate No.II, Karur shall accept the sureties furnished by the petitioner; the learned Judicial Magistrate No.II, Karur shall deposit the said amount as fixed deposit in any one of the Nationalized Bank and the entitlement of the said amount will be decided at the time of disposal of the main case.

(c) the petitioner shall furnish his residential address and contact number to the learned Judicial Magistrate No.II, Karur. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate No.II, Karur;

(d) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(e) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(f) the petitioner shall not abscond 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the



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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]; and;

(h) if the accused thereafter abscond, a fresh FIR can be registered under Section
269 of BNS, 2023.

sd/-
31/07/2025

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/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

- 1 The Judicial Magistrate No.II, Karur.
 - 2 The Inspector of Police, CCD-III, Cyber Crime Police Station, Karur District.
 - 3 The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.R.SHANKAR GANESH, Advocate (SR-8317[I] dated 01/08/2025)

ORDER
IN
CRL OP(MD) No.12737 of 2025
Date :31/07/2025

NBF/SAR- /25/08/2025/ 6P/5C

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