BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04.12.2025

PRESENT

The HONOURABLE MRS.JUSTICE S.SRIMATHY

CRL OP(MD)No.13267 of 2025

Gayathri ... Petitioner

Vs.

The State of Tamil Nadu,
Represented by the Inspector of Police,
CCD-III District Cyber Crime,
Tirunelveli.
(Crime No.5 of 2025) ... Respondent

For Petitioners : Mr.N.Anandakumar

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.5 of 2025 on the file of the respondent police.

ORDER: The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 205, 336(3), 338, 318(4) of BNS, 2023 and Section 66D of Information Technology(Amendment) Act, 2008 in Crime No.5 of 2025, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that complainant received a normal voice call from a mobile number -7090622197 and the person who called from that number introduced himself that he is calling from TRAI and asked him about a mobile number- 6135749453, whether the said number belongs to the complainant. For which the defacto complainant denied, but the person on the other side informed that the above number stands in the name of the complainant and complaints were received by TRAI stating that from that in the particular number so many obscene content messages and advertisements were uploaded and regarding which a in FIR No. MH8817/0125 was registered and they are going to freeze his mobile numbers. Further in order to avoid, a clearance certificate has to be obtained from the police and the said unknown person informed him that he is going to connect a whatsapp video call to the Mumbai Police and thereafter his number was connected along with a mobile number 6306437900 through video call and a person claimed himself as crime branch officer Pradeep on the screen demanded the Aadhar details of the complainant and having received the same, he informed the defacto complainant that the AADHAR Carrd is related to Naresh Goel Money Laundering Case and 243 ATM cards were seized in that case and one among them is a card that belongs to the complainant which is a CANARA Bank ATM Card. Further, they informed the complainant that he should switch on the not to disturb mode on the mobile and he shall not disclose the same to anyone, since this is a national secret and Arrest Warrant will follows in the whatsapp of mobile and asked him to wait in the video call in the 24 hours. As such he was waiting before the video call for the entire day which is Sunday. Further on 03.03.2025 one person called himself as Sivasubramanian IPS and talked with him stating that he would help the complainant and asked the bank balances and other account details. After the disclosure by him, he was informed that his bank accounts have to be freezed and other transaction details have to be verified and immediately advised him to send a sum of Rs. 10,20,000/- through RTGS to a bank account and the complainant also out of fear in order to avoid arrest sent the money on 03.03.2025 and informed the same through whatsapp and again on 04.03.2025 on Tuesday at about 10:00 AM, a person came in whatsapp video call like a judge in the court and informed him that he would grant bail and the complainant has to sent Rs.50,00,000/- and he has passed an order to that effect and sent to the complainant. Again on 04.03.2025 he paid Rs.20,00,000/- through RTGS and on 05.03.2025 he sent Rs.30,00,000/- to the bank and sent the receipt to him and they informed that the amount will be resent within 4 days. Further on 07.30.2025 again one another person in the robes of judge came in video call stated that the transaction of Rs. 30,00,000/- sent by the complainant is an illegal transaction and immediately he has to pay Rs.1,00,00,000/- or otherwise he will be arrested. He denied for the same stating that he had no money and thereafter another person in police uniform came in video call informed him that he recommended the judge to reduce the amount and it is sufficient to pay Rs.40,00,000/-in installments and on 07.03.2025, he has sent Rs.8,00,000/- and again they threatened him over phone, then he informed his friend Ajay and he informed the complainant about this type of scam prevailing in the online network and thereafter he lodged a complaint. Hence, a case has been registered as against the petitioner.

3.The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case and the petitioner has not committed any offence. He seeks this Court to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. side) appearing for the respondent submitted that the offences committed by the petitioner are serious in nature.

5. Taking into consideration of the facts and circumstances of the case and since the petitioner has returned to India and complied with the conditions imposed in the interim anticipatory bail regularly, the interim anticipatory bail already granted is made absolute and this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, on condition that the petitioner shall execute 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 I, Tirunelveli, within a period of fifteen days from the date of receipt of a copy of this order 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 Aadhaar card or bank pass book to ensure their identity.

[b]the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required.

[c]the petitioner shall not tamper with the 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 is 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.

04.12.2025

TMG

TO

1. Judicial Magistrate No I,
Tirunelveli.

2.The Inspector of Police,
CCD-III District Crime Branch,
Tirunelveli District.

3.The Additional Public Prosecutor,
Madurai Bench Of Madras High Court,
Madurai.

S.SRIMATHY,J

TMG

ORDER
IN
CRL OP(MD) No.13267 of 2025

Date : 04.12.2025