



WEB COPY



Crl.O.P. No.34831 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2026

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.34831 of 2025
and Crl.M.P.No.24434 of 2025

R.Vijayakumari

... Petitioner

Vs.

1. The State Represented by
Inspector of Police,
State Cyber Crime Investigation Centre,
Cyber Crime Wing, Ashok Nagar,
Chennai – 600 078.
(Crime No.40 of 2025)

2. R.Sheeba Priyadharshini

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records in FIR No.40 of 2025, on the file of first Respondent Police and quash the same.

For Petitioner : Mr.A.S.Bhuvaneswaran

For R1 : Mr.S.Santhosh
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition is filed under Section 528 of



CrI.O.P. No.34831 of 2025

Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records in F.I.R.

No.40 of 2025, on the file of the first respondent Police and quash the same.

2.The facts of the case are that the de facto complainant / 2nd respondent received a call from an impersonator claiming to be from TRAI and was informed that her cell phone connection would be terminated due to misuse in a money laundering case and was digitally arrested by the impersonator. Believing the same, the victim transferred a sum of Rs.1,28,91,540/- through various transactions from 19.05.2025 to 31.05.2025 into various suspect accounts, one of which is the petitioner's account. The de facto complainant had lodged an online complaint at the National Cyber Crime Reporting Portal and also lodged a written complaint at the Cyber Crime Wing, Chennai, for necessary action. Based on her complaint, a case was registered in SCCIC Crime No.40 of 2025, for the offences U/s.319(2), 336(2)&(3) and 318(4) BNS 2023 and Section 66C, 66D of the Information Technology (Amendment) Act, 2008. The petitioner was remanded to judicial custody along with the other accused.

3.Learned counsel for the petitioner would submit that the petitioner is innocent and her account has been misused by her son and since certain amounts have come into her accounts, she was arrested and



Crl.O.P. No.34831 of 2025

remanded to judicial custody. He would reiterate that the petitioner is innocent.

4.Learned Government Advocate (Crl. Side) would submit that this is a matter concerning digital arrest and the amount involved in the present case is Rs.1.28 crores and the investigation is in the initial stage. He would further submit that in *State V. M.Maridoss & another (2023) 4 SCC 338*, the Hon'ble Apex Court has held that the investigation cannot be interdicted at the initial stage and he would submit that if, during the course of investigation, it is found that the petitioner has no role, her name will be removed from the F.I.R.

5.Recording the above submissions of the learned Government Advocate (Crl. Side), this Criminal Original Petition stands disposed of. Consequently, the connected C.M.P.No.24438 of 2025 is closed.

02.01.2026

kas

Index : Yes / No

Neutral Citation: Yes / No

