IN THE COURT OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE, CHENGALPATTU

Present : Thiru.T.Chandrasekaran, M.L.,
Principal District and Sessions Judge,
Chengalpattu.

Date: Wednesday, the 22nd day of July 2026.

Crl.M.P. No.2403 of 2026
(CNR No. TNCG01-004787-2026)

1. Ajmal Kaja Mohaidheen, S/o.Meera Mohaidheen,
   Aged about 40 years,
2. Asharutheen, aged about 33 years, S/o.Ismail,

.. Petitioners/Accused.

//Versus//

State of Tamilnadu,
Rep. by the Inspector of Police,
Cyber Crime Wing, Central Crime Branch, Tambaram,
Cr. No.43 of 2026 .. Respondent/Complainant
U/s.61(2), 318(4), 319(2), 340(2) and 111 of BNS, 2023 and Sec.66D of the Information Technology Act, 2000.

This petition for bail coming on this day for hearing before me, M/s.R.Vivek, the learned counsel is appearing for the petitioners/accused and of M/s.V.Krishnamoorthy, the learned Public Prosecutor appearing for the respondent/complainant, upon hearing both sides and upon perusal of case records, this Court made the following

O R D E R

This petition is filed U/s.483 of BNSS 2023, seeking to enlarge the petitioners on bail.

2. The petitioners/accused have been charged for the alleged offences U/s.61(2), 318(4), 319(2), 340(2) and 111 of BNS, 2023 and Sec.66D of the Information Technology Act, 2000.

3. Notice given to the Public Prosecutor for the State and reply submitted. Heard both sides; records perused.

4. The case of the prosecution is that the defacto complainant/victim is the retired employee. On 12.03.2026, the accused person have contacted the victim over phone and on the pretext of enquiry and digital arrest, the accused have collected the victim's credentials such as Aadhar number, Bank account details and Fixed Deposit Details. Further the accused have persuaded the defacto complainant/victim to transfer her money to three different bank accounts to the tune of Rs.1,71,50,000/-. Further the accused persons have received 45 sovereigns of her gold jewels in person, thereby cheated her. Thereby a case in Cr. No.43 of 2026 has been registered on the file of respondent Police Station.

5. The learned counsel for the petitioners seeking permission of this court to not-press the application in respect of the 1st petitioner. He also made an endorsement in the petition. **Accordingly, the petition in respect of the 1st petitioner is dismissed as not-pressed.**

6. The learned counsel for the petitioners would further submit that the 2nd petitioner is innocent of offence; he was arrested and remanded on 09.06.2026 and he is under judicial custody for the past 44 days; moreover, the 2nd petitioner is ready to abide by any conditions to be imposed upon him and he is ready to offer substantial sureties before the Court, thereby prayed for enlargement on bail.

7. The learned Public Prosecutor, on the other hand, objected to grant bail to the petitioners stating that the petitioners along with other accused colluded themselves, contacted the victim over phone and on the pretext of Digital house-arrest, the accused have persuaded her to transfer money to various bank accounts and also received 45 sovereigns of her gold jewels, thereby cheated the victim. The role of the present petitioners are concerned, the petitioners and the other accused have used the innocent customers' aadhar card and other documents and obtained SIM Cards in bulk. Thereafter, in order to suppress their identity, using those SIM Cards, the accused have approached the victims thereby the petitioners actively participated in the offence. The role of the 2nd petitioner is concerned, during search, six cellphones, 65 Sim Cards and 114 Sim Covers have been recovered, which shows the active role of the 2nd petitioner in the occurrence. He would further submit that the other accused are yet to be secured and the evicences are to be collected. The investigation is not yet completed, at this juncture, if he is released on bail he will tamper with the evidence thereby hamper the investigation. Hence, he prays for the dismissal of the petition.

8. It is the case of cheating. It is alleged that on the pretext of digital arrest, the accused have made the defacto complainant/victim to part away a sum of Rs.1,71,50,000/- and 45 sovereigns of gold, thereby cheated her. The investigation revealed that the accused persons have procured SIM cards in bulk and used those SIM cards for illegal activities. It is submitted that six cellphones, 65 Sim Cards and 114 Sim Covers have been recovered from the possession of the 2nd petitioner. It is pleaded by the learned Public Prosecutor that the swindled money is not yet recovered, other accused are yet to be secured and the investigation is not yet completed. Taking into consideration the gravity of the offence, nature of allegations levelled against the petitioners, stage of investigation and also considering the over all facts and circumstancs of the case, the earlier bail applciation of the 2nd petitioner is dismissed by this court in Crl.M.P. No.2089 of 2026 dated 03.07.2026, this court does not find any material change of circumstnaces with the earlier bail applciation. Hence, this court is not inclined to grant bail to the 2nd petitioner.

9. In the result, the petition in respect of the 1st petitioner is dismissed as not-pressed; the petition in respect of the 2nd petitioner is dismissed.

Pronounced by me in the open Court, on this the 22nd day of July 2026.

T CHANDRASEKARAN

Digitally signed by T CHANDRASEKARAN
Date: 2026.07.22 19:41:05 +0530

Principal District and Sessions Judge,
Chengalpattu.