

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE DR. JUSTICE KAUSER EDAPPAGATH
Thursday, the 27th day of February 2025 / 8th Phalguna, 1946
WP(CRL.) NO. 669 OF 2024(S)

PETITIONER:

SMARTCOIN FINANCIALS PVT LTD, 293/154/172, 2ND FLOOR,
OUTER RING ROAD, KADUBEESANAHALLI, BANGALURU, KARNATAKA,
REPRESENTED BY ITS AUTHORIZED REPRESENTATIVE AND
MANAGER (LEGAL) MS. SUMITHRA V., PIN - 560 103.

RESPONDENTS:

1. UNION OF INDIA, MINISTRY OF HOME AFFAIRS, NORTH BLOCK, NEW DELHI, INDIA (THROUGH NATIONAL CYBERCRIME REPORTING PORTAL, NCRP, KERALA, INDIA NCRPKERALA.POL.KERALA.GOV.IN), PIN - 110 001.
2. THE INSPECTOR OF POLICE, CITY CYBER POLICE STATION, KOZHIKODE, KERALA, INDIA (CYBERPSKKD.POL@KERALA.GOV.IN), PIN - 673 001.
ADDITIONAL R3 IMPLEADED
3. RESERVE BANK OF INDIA, REPRESENTED BY ITS CHIEF GENERAL MANAGER, CENTRAL OFFICE BUILDING, SHAHID BHAGAT SINGH ROAD, MUMBAI - 400 001.
ADDL.R3 IS IMPLEADED AS PER ORDER DATED 11/07/2024 IN IA 2/24 IN WP(CRL.)

Writ Petition (Criminal) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(CrL.) the High Court be pleased to

(i) To remove suspension imposed on the domain of the Petitioner 'olyv.in' till final disposal of this Writ Petition,

(ii) To stay the further investigation in regard to the impugned FIR and all coercive proceedings against the petitioner till the pendency of this Petition, and

(iii) To direct the Respondent No. 1 to provide a copy of the blocking/suspension order issued against the Petitioner.

P.T.O.

This petition coming again on for orders upon perusing the petition and the affidavit filed in support of WP(Crl.), this Court's order dated 24/02/2025 and upon hearing the arguments of M/S. AMMU CHARLES, AMAR RAJENDRA GAHLOT & SANYAM AGGARWAL, Advocates for the petitioner, SRI.ACHUTH KRISHNAN R, CENTRAL GOVERNMENT COUNSEL for R1, SRI.P.NARAYANAN, SENIOR PUBLIC PROSECUTOR for R2 and of SMT.SUMATHY DANDAPANI (SENIOR) along with SRI.MILLU DANDAPANI, Advocates for Addl.R3, the court passed the following:

P.T.O.



DR.KAUSER EDAPPAGATH, J.

W.P.(Crl.) No. 669 of 2024

Dated this the 27th day of February, 2025

O R D E R

I have heard Sri.Sanyam Aggarwal, the learned counsel for the petitioner, Sri.P.Narayanan, the learned Senior Public Prosecutor and Sri.Millu Dandapani, the learned counsel for respondent No.3.

2. The interim prayer sought for in this writ petition is to remove the blocking/suspension imposed on the domain of the Petitioner 'olyv.in' till the disposal of the writ petition. The respondent No.1 has filed a counter statement stating that no such blocking order has been issued by it. However, later on the respondent No.2 has filed a statement stating that blocking order has been passed by him. When the case came up on the last hearing date, the Senior Public Prosecutor was directed to ascertain whether suspension of the domain of the petitioner could be lifted without affecting the process of investigation.

3. The investigating officer who is investigating Crime No.12 of 2024 has filed a statement today stating that complaints have been received at various police stations

regarding unethical practices of digital loan lending apps and cheating of individuals using personal data and based on the input received from the Cyber Operations, Thiruvananthapuram on reasonable grounds for an attempt to commit the offence by advertising through online media for granting loans with the intention to make unfair practices, the case was registered and the investigation is in progress. However, there is no specific allegation against the petitioner. In the statement it is stated that the suspension of the domain of the petitioner can be lifted without affecting the process of investigation.

4. Having heard both sides and also perusing the statement filed by the investigating officer, the blocking/suspension imposed on the domain of the petitioner 'olyv.in' by the respondent No.2 stands hereby lifted. However, the lifting will not affect the process of investigation being carried out by the respondent No.2.

Post on 30.05.2025 for hearing.

Sd/-
DR.KAUSER EDAPPAGATH
JUDGE