

HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

CRIMINAL PETITION No.10465 of 2016

ORDER:

The petitioner, who is the sole accused in Crime No.201 of 2016 of Begumpet Police Station, filed the present Criminal Petition under Section 438 Cr.P.C. seeking release in the event of his arrest in connection with the above Crime, registered for the offences punishable under Sections 420 and 408 IPC and Section 66-C of the Information Technology Act, 2000.

The case of the prosecution is that the informant company appointed the petitioner as MIS Executive in Finance Department to serve the company for its business operations in Andhra Pradesh Telecom circle. The petitioner has been hired as an associate through manpower consulting agency namely M/s. Genius Consultants Limited and he joined in the company on 01.03.2016. He was allotted an employee identity number A1XV51X0. During the course of his employment with the company, in his capacity as an employee for official functions, the petitioner was entrusted with and granted access to company's confidential information and data residing in the computer resources and systems of the company to be used strictly for official purposes including confidential reports with details such as company internal policies etc. Thereafter, on 26.05.2016 the Information Security Team (Data Protection Desk) of the company detected that on 25.05.2016 at 5.37 p.m. some documents/ confidential data was un-authorisedly, dishonestly and fraudulently transmitted/transferred by the petitioner by using his official desktop computer having IMAC address. Basing on these allegations the above case came to be registered.

Heard learned counsel for the petitioner and Public Prosecutor appearing for the respondent-State.

Learned counsel for the petitioner submits that there is no material to show that the petitioner was responsible for transmission/transfer of the confidential data. Even he submits that without accepting the resignation of the petitioner, he has been implicated in this case. It is his case that only to avoid the payment of the benefits while leaving the office, the present case is foisted against the petitioner.

Learned Public Prosecutor opposed the application.

As seen from the averments in the report, the Information Security Team (Data Protection Desk) of the informant company detected that on 25.05.2015 at 5.37 p.m. the petitioner transmitted/transferred some documents/confidential data by using his official desktop computer having IMAC address B0-83-FE-66-31-7F and having HOST Name: DTA1XVS1X0. That being the position the argument that the petitioner is not responsible for the transfer of information cannot be accepted. Hence, I am not inclined to grant anticipatory bail to the petitioner.

Accordingly, the Criminal Petition is dismissed.

JUSTICE C. PRAVEEN KUMAR

26.07.2016
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