

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 59 OF 2019

Manoj Kumar Rajshekaran ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. Wesley Menezes, Advocate for the Applicant.
Mr. J.S. Lohakare, A.P.P. for the Respondent-State.
Mr. Laxmikant Salunkhe, API, Property Cell, DCB, CID,
Mumbai.

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CORAM : SANDEEP. K. SHINDE, J.
DATE : 04th DECEMBER 2019.

P.C.

1. Heard learned counsel for the applicant and learned A.P.P. for the Respondent - State.

2. Applicant is seeking his enlargement on bail in Crime No. I - 35 of 2018 registered with DCB-CID Property Cell Unit, Mumbai for alleged offences punishable under Sections 379, 419, 420, 467, 468, 471, 34, 120-B of the Indian Penal Code, 1860 ('IPC' for short) and Section 66 (C) (D) of Information

Technology Act.

3. At the outset, it may be stated there are ten accused in the subject crime; nine were released on bail by the learned Magistrate. Learned APP on instructions, submits bail granted to accused nos.4 to 9 has been cancelled at the instance of the prosecution and these accused have approached this Court. Meaning thereby, the accused no.1 and 2 are on bail. It is alleged that the applicant by using advance technology indulged into cloning credit cards and withdrawing money from the bank accounts of those credit card holders.

4. In the course of investigation, 51 swipe machines, 2 laptops, bogus debit and credit cards were seized from the accused persons. It is alleged, syndicate of these nine accused by using a technology called 'ICQ App', were transmitting the data. Investigation shows co-accused Zubair has transferred Rs. 47,15,000/- in the ICICI Bank account of the

applicant. It is revealed, this account was opened by the applicant in the name of Akshay Kumar, by submitting the forged KYC documents. However, photograph submitted alongwith the KYC documents was of the applicant. It is further transpired, this bogus account was operated by the applicant. A cheque was also issued by him, in the name of the housing society, where he is residing.

5. Besides, it may be stated that there are four crimes of the similar nature are/were registered against the applicant. It may be stated the applicant was convicted by the learned Magistrate under Section 465, 467 of IPC. Conviction is confirmed in appeal. Revision against conviction is pending.

6. The applicant was apprehended in the subject crime on 13.07.2018, after conviction, as aforesaid.

7. Thus taking into consideration, the nature of offence committed and the criminal antecedents, it is

not a fit case to enlarge him on bail.

8. The application is rejected.

(*SANDEEP. K. SHINDE, J.*)