IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Seventh day of July Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.15665 of 2022

RAVISHANKAR [PETITIONER / ACCUSED]

Vs

INSPECTOR OF POLICE [RESPONDENT]
CYBER CRIME POLICE STATION,
TIRUPPUR CITY.
CRIME NO.22 OF 2022.

For Petitioner : M/S.BALAJI THIRUMOORTHY Advocate

For Respondent : M/S.A.DAMODARAN, Additional Public Prosecutor

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 28.05.2022 for the offences punishable under Section 66D of IT Act, Sections 420, 120B, 201, 204 of IPC in crime No.22 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant received a call from an unknown number and the person on the call posed as an officer of Kotak Mahindra Bank and increased his credit card limit and later swindled a sum of Rs.79,800/- from his credit card on multiple transactions by receiving OTP’s from the defacto complainant and thereby cheated the defacto complainant. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is the promotor and one of the Directors of the registered private limited company “Dakshan Technologies Private Limited” (CIN:US1909KA2017PTC106545 and PAN:AAGCD3590F) operating at Bangalore

inter alia doing the business of software services and IT services. He would further submit that the petitioner is doing the business lawfully complying with all the statutory regulations and he is no way related to Kotak Mahindra Bank and he does not have any authority to increase or decrease the credit limit of the credit card as alleged in the FIR. Hence, he seeks for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that there are totally five accused, in which the petitioner is arrayed as A1, who made a phone call to the defacto complainant and stated that his credit card limit will be increased and obtained card details. Subsequently, amount was also increased. Thereafter, again he called to the defacto complainant and asked for verification and also obtained OTP numbers sent to the defacto complainant. Thereafter, they swindled Rs.79,800/- from the defacto complainant's account. He would further submit that the petitioner is having office in Bangalore and cheated several people and 39 broken sim cards and mobile phones were recovered from the petitioner, who has two previous cases similar in nature. Hence, he vehemently opposed to grant bail to the petitioner.

5. It is seen that the petitioner has committed very serious offence as against the society. As far as the petitioner, he swindled a sum of Rs.79,800/- from the defacto complainant's account and so many victims are there. That apart, the respondent seized so many sim cards and other materials. Therefore, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, the criminal original petition is dismissed.

-sd/-
07/07/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE OFFICER INCHARGE,
TIRUPPUR SUB JAIL, TIRUPPUR.

2 INSPECTOR OF POLICE
CYBER CRIME POLICE STATION,
TIRUPPUR CITY.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.BALAJI THIRUMOORTHY Advocate on payment of necessary charges SR.NO. 11067

CRL OP.15665/2022

Date :07/07/2022

RW-14/07/2022