



Crl.O.P.No.1288 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 28.11.2022 for the alleged offences punishable under Sections 419, 420 of I.P.C. and 66-D of Information Technology Act, 2008 in Crime No.12 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that when the petitioner along with other accused had a communication in various mobile numbers with the defacto complainant, they have offered a personal loan of Rs.5 lakhs from him with a precondition that he ought to pay a sum of Rs.30,000/-, which was taken by them through his account, but they failed to arrange a loan and also failed to return the amount paid by the defacto complainant. Hence, the case.

3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case and the mobile number of petitioner has been wrongly used by the other accused



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persons. He would submit that the alleged amount cheated has been recovered and co-accused are released on bail. He would further submit that the petitioner has been suffering incarceration for more than 1 ½ month from 28.11.2022. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (CrI.Side) submits that he is the prime accused involved in this offence and by engaging 20 employees, the said online fraud was committed by him. He would submit that so far they have received 70 complaints from other Districts also. He would submit that there are four previous cases pending against him and co-accused A2 and A3 were granted bail. He would also submit that if he is released on bail, he would hamper the investigation and tamper the witnesses and the investigation is almost completed and within three months, they will complete the trial. However, he would vehemently opposed to grant bail to the petitioner.



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5. Considering the facts and circumstances of the case and also considering that the petitioner is the prime accused for the alleged commission of offence and so far 70 complaints received from other Districts also and there are four previous cases pending against him and also considering the gravity of offence committed by the petitioner, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

23.01.2023

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