



Crl.O.P.No. 4047 of 2023

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**T.V.THAMILSELVI, J.**

The petitioner, who was arrested and remanded to judicial custody on 06.01.2023 for the alleged offence under Sections 379 and 411 of I.P.C. r/w Sec.20 of Indian Telegraph Act, in Crime No.6 of 2023 on the file of the respondent police, seeks bail.

2. The case of prosecution is that the petitioner said to have changed the IMEI number in mobile phones and sold it in a higher amount. Hence, the complaint was registered against the petitioner.

3. The learned counsel appearing for petitioner submitted that he is running a mobile service centre in Villivakkam area and so far there is no complaint against him. He would submit that there is no specific overtact against this petitioner and he is an innocent person and he is no way connected with the offence and he has not committed any of offence as alleged by the respondent police. He would also submit that he has been falsely implicated in this case and he will abide by any condition that may be imposed by this court. He would also submit that the petitioner has been



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suffering incarceration from 06.01.2023. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that the petitioner purchased theft mobile phones, thereby changed the IMEI number in it and sold the same to others. He would also submit that the petitioner/accused is habitual offender and the petitioner's earlier petition was dismissed by this Court vide order dated 03.02.2023. However, he would vehemently opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and the submissions made by both counsel and considering the gravity of offence committed by the petitioner, on purchase of theft mobile phones, he changed the IMEI numbers in it and sold it to others, and there is no change of circumstances after the dismissal of petitioner's earlier bail application, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

**22.02.2023**

Vv

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**22.02.2023**