



WEB COPY



Crl.O.P.No.6198 of 2023

Crl.O.P.No.6198 of 2023

T.V.THAMILSELVI,J.

The petitioner, who was arrested and remanded to judicial custody on 09.01.2023 for the offences punishable under Sections 419, 420 of IPC and Sections 66(c) & 66(d) of Information Technology Act, in Crime No.01 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused, by hacking the online banking facility of the de-facto complainant, have fraudulently transferred a sum of Rs.1,98,915/- from the account of the de-facto complainant to their account. Hence the case.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person, who was working as an LIC agent and he has been falsely implicated in this case. He further submitted that during the course of business, the petitioner came in contact with one Narayan and the said Narayan along with one Raju have misused the petitioner's bank account. He further submitted that the bank statements would reveal that the amount credited in the petitioner's account from the de-facto complainant is



Crl.O.P.No.6198 of 2023

subsequently transferred to the account of the said Narayan. He also stated that the petitioner is no way connected with the alleged offence and he is in custody from 12.01.2023, and this Court had earlier dismissed the bail application in Crl.O.P.No.4488 of 2023 on 27.02.2023. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Therefore, he prays for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner along with other accused, by hacking the online banking facility of the de-facto complainant, have fraudulently transferred a sum of Rs.1,98,915/- from the account of the de-facto complainant to the petitioner's bank account and not yet recovered. He further submitted that during the course of investigation, it came to light that the de-facto complainant's amount was directly credited to the petitioner's gold loan account. He further stated that the investigation in this case is at preliminary stage and also stated that since the petitioner belongs to the state of Haryana, if bail is granted to the petitioner at this stage, it would be difficult for the respondent to secure him again. Therefore, he vehemently



Crl.O.P.No.6198 of 2023

opposed to grant bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the entire materials available on record.

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned Government Advocate (Crl.Side) and also considering the fact that there is no change in circumstances, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed.

21.03.2023

rri



WEB COPY



Crl.O.P.No.6198 of 2023

T.V.THAMILSELVI,J.

rrr

Crl.O.P.No.6198 of 2023

21.03.2023