



WEB COPY



Crl.O.P.Nos.8617 & 8627 of 2023

Crl.O.P.Nos.8617 & 8627 of 2023

A.D.JAGADISH CHANDIRA, J.

The petitioners, who were arrested and remanded to judicial custody on 06.01.2023, for the offences punishable under Sections 419, 420 of IPC and Section 66 r/w Section 43(J) and 66D of the Information Technology (Amendment) Act, 2008, in Crime No.129 of 2022, on the file of the respondent Police, seek bail.

2. The case of the prosecution is that the accused/petitioners, who are Nigerian Nationals, by hacking the computer of the Tamil Nadu State Apex Cooperative Bank (TNSCB), had transferred a sum of Rs.2,61,16,349/- to various bank accounts and cheated the bank. Hence the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely



WEB COPY

implicated in this case. He further submitted that the petitioners are the Nigerian Nationals, who had come to India on Business VISA and when they were at Delhi, they were arrested and falsely roped in this case. He also submitted that the petitioners are in custody from 06.01.2023 and the investigation has been completed and they are ready to abide by any stringent conditions that may be imposed by this Court. Therefore, he prayed for grant of bail to the petitioners.

4. The respondent Police has filed a Status Report.

5. Learned Government Advocate (Crl.Side) appearing for the respondent Police submitted that it is a case, where a large scale scam has been committed by the Nigerian Nationals. He also submitted that the the petitioners/accused had cheated the TNSC Bank to the tune of Rs.2,61,16,349/-, by hacking their systems and transferred the said amount to the various bank accounts. He further submitted that with great difficulty, the petitioners were secured, however, the amount have not been recovered so far. He also submitted that the investigation in this



Crl.O.P.Nos.8617 & 8627 of 2023

case has been completed and the case has also been taken up for trial in C.C.No.2392 of 2023, on the file of the learned Additional Chief Metropolitan Magistrate, Egmore. He further submitted that there are 17 witnesses in this case and the case now stands posted for examination of LW1 on 27.06.2023. He further reiterated that the petitioners are Nigerian nationals, therefore, if bail is granted to them at this stage, there is every possibility of them absconding and would derail the progress of the trial. He also submitted that if time frame is fixed, the respondent would be able to complete the trial within the stipulated time. Hence, he prayed for dismissal of the petition.

6. Heard the learned Counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

7. Taking into consideration the above facts and circumstances of the case and the submissions made by the learned counsel on either side and taking note of the fact that the petitioners are Nigerian Nationals



Crl.O.P.Nos.8617 & 8627 of 2023

WEB COPY

and it is also stated that there is a flight risk and the amount has not been recovered so far and also considering the gravity of the offence committed by the petitioners, this Court is not inclined to grant bail to the petitioners.

8. Accordingly, these Criminal Original Petitions stand dismissed. However, the learned Additional Chief Metropolitan Magistrate, Egmore, is directed to complete the trial as expeditiously as possible, preferably, within a period of four months from today.

27.06.2023

ham



WEB COPY



Crl.O.P.Nos.8617 & 8627 of 2023

A.D.JAGADISH CHANDIRA, J.

ham

Crl.O.P.Nos.8617 & 8627 of 2023

27.06.2023