Crl.O.P.No.11431 of 2023

Reserved On	29.08.2023
Pronounced On	01.09.2023

RMT.TEEKAA RAMAN, J.

The petitioner/, who apprehends arrest at the hands of the respondent police for the alleged offences under **Sections 420 of IPC and Section 66 D of the IT Act (Amended) 2008 in Crime No.09 of 2022** on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the *de-facto* complainant one Ranjithkumar, aged 42/2022, son of Mohanraj, V.O.C.Street, Perambalur Town, Perambalur Taluk and District lodged a complaint before the respondent police stating that during the year 2021, he had gone to Dubai on Tourist Visa. At that time, he applied for a job in abroad, in more than 89 companies through on-line and uploaded all his personal documentary based details for the same.

3. Mr.Virender Verma, the learned counsel for the petitioner/A1 appeared through video conferencing and would contend that he is no way involved in this case, only his son A2 is involved in this case and there is no overt act alleged against the petitioner in the FIR and hence, seeks the relief of pre-arrest bail.

4. The learned Government Advocate (Crl.side) appearing for the respondent stated that it is a case of job racketing and based upon the advertisements made in the Internet, the *de-facto* complainant has made payment through bank transactions and some of the amount has been paid to the account of this petitioner. A3 & A4 were arrested and recovered a sum of Rs.2,10,000/- and he has also filed the counter of the investigation officer. A2 had carried out the transactions in his father account/A1 account and the police have issued notice under Section 41-A two times, but the petitioner has not appeared.

5. After registration of the complaint, the investigation officer appears to have taken the assistance of the mobile service provider to collect call detail records with customer application form

and proceeded to Uttar Pradesh State, Ghaziabad District and based upon the tower signal, has been able to apprehend A3 & A4 and arrested them and based upon the voluntary confession statement of A3 & A4, co-accused Viz., Atul Singh/petitioner herein, Rahul & Gautam Kumar Jha were found to have been involved in this case, in transmitting the money received from the bank accounts from various persons and the said A3 & A4, who were arrested had received commission from the organiser around Rs.5,000/- to Rs.7,000/- per day, for their illegal receipts and transferring the money through online. The matter is at the preliminary stage of the investigation.

6. As per the counter, the *de-facto* complainant has remitted Rs.6,23,952/- for securing a job. The *modus-operandi* as disclosed in the counter shows that the petitioner herein is A1, organised this cyber crime, created fake website called "flyjobs" and posted job openings for the Vacancy Manager in Dubai and collected victim Ranjithkumar's details from that site and approached him by phone calls using fake SIM cards and then

promised to offer a job of Vacancy Manager in Dubai and received the above stated amount. Hence, tracking of the involvement of the other accused person in this major network and in the commission of the cyber crime all over India is necessary and the present case is under investigation stage.

7. Considering the specific overt act as alleged against the petitioner herein and the *modus-operandi* adopted by this accused, larger ramification is expected to be discovered after investigation and as the investigation is at the preliminary stage, I am not inclined to grant anticipatory bail to the petitioner.

8. Accordingly, this Criminal Original Petition is dismissed.

01.09.2023

mpl

RMT.TEEKAA RAMAN, J.

mpl

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