

CrI.O.P.No.26151 of 2023**C.V.KARTHIKEYAN.,J.**

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The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 420 of I.P.C and Section 66 r/w Section 43 of the Information Technology Act, 2000, in Crime No.34 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the petition is that the petitioner is a resident of Gujarat and the de-facto complainant is a resident of Puducherry. The de-facto complainant had transferred a sum of Rs.2,000/- to the petitioner through on-line transaction. The de-facto complainant had transferred the amount for the purpose of playing online games. Hence the case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent. He has been falsely implicated in this case. He further submits that the complaint is not maintainable either in law or on facts as per Information Technology Act, 2000. Hence, the petition has been filed seeking anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the total amount involved in this matter is Rs.5,77,000/- and all the amounts had been transferred through online transactions. He further submits that though notice under Section 41-A(1) r/w 41(1)(B) Cr.P.C., had been issued to the petitioner is not appeared. Hence, he opposed for grant of anticipatory bail to the petitioner.

5.Heard the learned counsel for the petitioner and the learned Government Advocate (crl.side) for the respondent police and perused the materials available on record.

6.Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on either side and the nature and gravity of the offence committed by the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

7.Accordingly, this Criminal Original Petition is dismissed.

20.11.2023

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