

MHCC020168602022



**IN THE COURT OF SESSIONS FOR GREATER MUMBAI AT MUMBAI
ANTICIPATORY BAIL APPLICATION NO.2752 OF 2022**

Mr. Raja Chelladurai

Age : 33 years, Occ: Sevice,

R/at : S/O Chelladurai, 17-109,

CSI Compound, Near CSI Church,

Thittuvilal Bhoothapandy, Thovala,

Kanniyakumari, Tamil Nadu – 629852.

...Applicant/Accused

Vs.

The State of Maharashtra

(Through Cyber West Division Police Station)

...Respondent/State

Appearance :-

Mr. S.S. Dubey, Ld. Advocate for applicant/accused.

Ms. Ratnavali Patil, Ld. APP for the Respondent/State.

CORAM : H. H. THE ADDL. SESSIONS JUDGE,

SHRI A.A. KULKARNI (C.R. NO.24)

DATED : 9TH JANUARY, 2023

(O R A L O R D E R)

(Dictated and pronounced in the open Court)

This is an application under Section 438 of Cr. P.C. for anticipatory bail. Heard Ld. Advocate for applicant and Ld. APP for the State. Perused the application, say and documents on record.

2. Ld. Advocate for applicant submitted that applicant is arrested by police in connection with C.R. No.20/2022 registered by

Cyber West Division Police Station, for the offence punishable under Sections 419, 420, 467, 384, 504, 506, 509, 500, 120(B), 201 r/w 34 of IPC and Sections 66(C), 66(D), 67, 67(A) of Information Technology Act. As per contention of applicant, there are no allegation against applicant about any active role played by him in alleged offence. It is further contended that investigation of case is completed. No role of present applicant is cameforth during investigation. Other accused are released on bail. Hence, prayed for grant of bail in the event of his arrest.

3. Ld. APP and investigating officer opposed application. It is their contention that, active role of applicant is found during investigation. Applicant supplied SIM card which are found used in commission of offence. Hence, prayed for rejection of application.

4. In view of submissions from both sides and on perusal of allegation in FIR, it is case of prosecution that informant obtained loan of Rs.3,85,000/- from mobile application. He repaid amount of Rs.15,00,000/- against loam of Rs.3,85,000/-. In spite of payment of loan amount, he received calls from various mobile numbers, wherein he was threatened and asked to deposit more amount, otherwise threatened that his morphed pictures will send to his relatives and other persons. In the allegation there is no name of applicant. In the say of investigating officer specific role of applicant is not mentioned. As per submissions SIM cards used in commission were supplied by applicant. In view of such role, it is clear that, there is no direct involvement of applicant of calling, threatening informant or demand of any amount. Other accused involved in this case are released on bail. In such circumstances, there is no need of custodial interrogation of applicant.

Therefore, by imposing conditions and directing applicant to appear before police for the purpose of investigation, he may be released on bail in the event of his arrest. Hence, I pass the following order :-

ORDER

1. Anticipatory Bail Application No.2752 of 2022 is allowed.
2. In the event of arrest in C.R. No.20/2022 registered with Cyber West Division police station, applicant Raja Chelladurai be released on bail on execution of P.R. bond of Rs.30,000/- with one or two sureties in the like amount on following conditions :-
 - a) Applicant shall attend Cyber West Division police station on notice of investigating officer and co-operate him in investigation.
 - b) Applicant shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer.
 - c) Applicant shall not leave India without previous permission of the Court.
3. Anticipatory Bail Application No. 2752 of 2022 is disposed of accordingly.



Date : 9.01.2023

**[A.A. KULKARNI]
ADDITIONAL SESSIONS JUDGE
GREATER MUMBAI**

Dictated on : 9.01.2023
Transcribed on : 9.01.2023
HHJ signed on : 9.01.2023

“CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER.”

Upload Date	Upload Time	Name of Stenographer
10.01.2023	5.00 p.m.	PRAJWALA V. PHODKAR
Name of the Judge (With Court Room No.)		HHJ SHRI. A.A. KULKARNI (CR 24)
Date of Pronouncement of JUDGMENT /ORDER		9.01.2023
JUDGMENT /ORDER signed by P.O. on		10.01.2023
JUDGMENT /ORDER uploaded on		10.01.2023