



**IN THE COURT OF SESSIONS AT DINDOSHI  
(BORIVALI DIVISION), GOREGAON, MUMBAI  
CRIMINAL BAIL APPLICATION NO.1863 OF 2022**

**IN**

**( C.R. No.55 of 2022 of Andheri Railway Police Station)**

**Venkatachalapathi Terugu,**  
An adult, Indian Inhabitant,  
Aged about 44, Occ : Nil,  
Having address at 205B/16/10  
Splendid Royale Apartment,  
Hospalaya Road, HSR Ext.,  
Behind OHM Sakti Temple,  
Karnataka State 560 068.

..Applicant

**V/s**

**The State of Maharashtra (Through  
Andheri Railway Police Station)**

..Respondent.

Ld. Adv. R. Sathyannarayanan Iyer for the applicant.  
Ld. Addl. Usha Jadhav for the state.

**CORAM : SHRI M.I. LOKWANI,  
ADDITIONAL SESSIONS JUDGE,  
COURT ROOM NO.10.**

**DATE : 30<sup>th</sup> November, 2022**

**ORAL ORDER**

This is an application is filed by the applicant under Section 438 of the Code of Criminal Procedure 1973, for granting anticipatory bail in connection with Crime No.55/2022 registered with Andheri Railway

Police Station for the offence punishable under Sections 354A, 509, 120(B), 419, 420, 465, 468, 471, 473, 384 r/w. 34 of the Indian Penal Code r/w. Section 67(A) of I.T. Act.

The brief facts of the prosecution case are as under :

2. It is alleged by the complainant Shamim Majid Sayyed that on 03.02.2022, she received a vulgar photos and voice messages on her whatsapp number when she was travelling in local train between Dadar to Borivali. She further alleged that in those vulgar photos, the face of female was edited. It is further alleged that those photographs received by her by unknown mobile number 8139913466. She also received voice message wherein abusive language used by which she felt shy and molest her modesty. Therefore, complainant approached to Andheri Railway Police Station and lodged complaint by which crime No.55/2022 registered by Andheri Railway Police, for the offences punishable under Sections 354A, 509, 120(B), 419, 420, 465, 468, 471, 473, 384 r/w. 34 of the Indian Penal Code r/w. Section 67(A) of I.T. Act.

3. The Ld. Advocate for applicant submitted that applicant is a Technology Engineer and was in the process of floated and registered a start-up by name Ciphercode Tech. Solutions Private Limited, located in Bangalore. The applicant as part of job, had travelled couple of times to China and business trip where he has to interact with vendors and associates, one of the Vendor Mr. Seabort. It is submitted that Mr. Seabort approached the applicant with a new business opportunity where the applicant has to establish an Indian Company in partnership

with foreign well establishes mobile applicant company. It is submitted that Mr. Seabort and Mr. William are the partners and they convinced to the applicant to conduct a test capability of providing financial transaction to foreign company customer mobile apps through new account created exclusively for this partnership. In that regard, the applicant agreed to create a new common bank account between two companies. It is submitted that the foreign company has misused the account of the applicant for high volume transaction instead of using it just for the test transactions. When the applicant came to know about transactions. He followed up sincerely.

4. It is submitted that applicant is a victim of circumstance. He also received Rs.4,44,000/- and the applicant was given to understand that everything is genuine. It is submitted that applicant was tricked into contract before signing the same and under the guise of carrying out test transaction, the applicant was lured into opening an account which was misused. The applicant was further tricked into by Mr. Seabort and Mr. William by sending him documents relating to one Chinese Company stating as a foreign collaborator. It is submitted that the applicant is scape goat. He is nothing to do with the alleged transactions. He is ready to abide any condition imposed upon him. He is ready to deposit amount received in his account. He is ready to cooperate in investigation. Hence, prayed for releasing him on anticipatory bail.

5. On the other hand, the Ld. APP raised strong objection in view of Ex.2 and submitted that during investigation, total six accused arrested by police. The muddemal seized from these accused sent to medical

laboratory at Kalina, Santacruz, Mumbai for analysis. Ld. APP submitted that Olazhikathun I.T. Solution Pvt. Ltd., is loan company. After analyzing the account of said company, it was noticed that Billion of Rupees were traded through this bank account. The amount has been transferred from the said bank account to the bank account of different companies. After classifying the bank accounts, information about the bank accounts was sought from the concerned bank and found that from the said bank Rs.77,44,564/- transferred from the company of applicant namely, Ciphercode Tech. Solutions Pvt. Ltd., therefore, there is involvement of applicant in this crime. The applicant came to police station along with his advocate Mr. Pratik Surti. After that, he stated that he will bring some documents and went away. Thereafter, his mobile phone is switched off, therefore, the conduct of applicant is suspicious. It is submitted that Rs. 4,44,000/- transferred in the account of applicant, therefore, he is beneficiary of the said amount. There is involvement of the applicant in present crime. If he released on pre arrest bail, he will abscond. Hence, prayed for rejection of the application.

6. Considering the submission of both sides and gone through the record, it appears that on 07.11.2022, the applicant appeared along with his advocate at police station. It is found that Ciphercode Tech. Solutions Pvt. Ltd., belongs to the applicant and applicant is director of the said company. When asked to the applicant to produced documents in respect of said company, at that time, applicant stated that he has no such documents regarding establishment of Ciphercode Tech. Solutions Pvt. Ltd. There is also investigation made out about another director Basanagraj Bhaskar, but during investigation applicant did not help in

any manner. It is found that during interrogation, the applicant state that he was given access to the bank account by sharing new bank account for project work testing to Mr. Seaboard and Mr. William. Meanwhile, Rs. 4,44,000/- has been received. When asked for evidence by what way amount was accepted. The applicant did not submit anything and failed to give satisfactory explanation. During the investigation, it is found that total credit amount from the applicant's account is Rs. 5,84, 09, 636.08 and debit amount of Rs.5,84,09,636.08 and the closing balance of the said bank account is '00'. It is found that Rs. 77,44,564/- has been deposited in the account of Olazhikathun IT Solutions Pvt. Ltd., between 21.12.2021 to 03.12.2021 from the account of applicant. It is also seen that money has been deposited in his bank account from many bank accounts. It further found that meanwhile Olazhikathun IT Solutions Pvt. Ltd., I.C.I.C.I. Bank account No.143305001079 online loan has been given to witness Fatima Deshmukh. It is further pointed out that applicant himself is in touch with the colleagues in China and in that regard, investigation is required to find out whether he is related to co-accused Vikram Rajput, therefore, thorough investigation required to be conducted to ascertain whether there is involvement of the applicant in this crime. Considering the aforesaid grounds, it appears that investigation is going on and it is in progress. The offence is technical and complex one, therefore, investigation is required therefore, custodial interrogation of the applicant is warranted, therefore, this Court is not inclined to grant Anticipatory Bail in favour of the applicant. Hence, I proceed to pass following order.

**ORDER**

Anticipatory Bail Application No.1863 of 2022, filed by the applicant-Venkatachalapathi Terugu in connection with Crime No.55/2022, registered at Andheri Railway Police Station for the offences punishable under Sections 354A, 509, 120(B), 419, 420, 465, 468, 471, 473, 384 r/w. 34 of the Indian Penal Code r/w. Section 67(A) of I.T. Act, is hereby rejected and disposed of accordingly.

Dt. 30/11/2022

**(M.I. Lokwani)**  
Additional Sessions Judge,  
Borivali Div., Dindoshi, Mumbai

Dictated on : 30/11/2022  
Transcribed on : 30/11/2022  
Checked & Signed by HHJ on : 01/12/2022

CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER.” UPLOAD DATE AND TIME 01.12.2022 AT 04:30 P.M.      NAME OF STENOGRAPHER PRASAD S. TARE	
Name of Judge (with Court room no.)	HHJ Shri M.I. Lokwani, City Civil & Sessions Court, Borivali Div., Dindoshi. (C.R.No.10)
Date of Pronouncement of JUDGEMENT/ORDER	30/11/2022
JUDGEMENT/ORDER signed by P.O. on	01/12/2022
JUDGEMENT/ORDER uploaded on	01/12/2022