IN THE COURT OF ADDL. CHIEF JUDICIAL MAGISTRATE,
37TH COURT, ESPLANADE MUMBAI
BAIL APPLICATION NO. 215 OF 2026
C.C.NO. 19/PW/2026

ORDER

Accused Tushar Ramchandra Patil has moved the application for bail.

2. It is the contention of the applicant/accused that he is innocent. He has been falsely implicated. The prosecution is based on misunderstanding and false inference arising from the friendship of the applicant with co-accused . His involvement if any is limited only to accompanying the co-accused for legitimate purpose such as opening bank accounts of his family members and assisting him. He has neither derived any wrongful gain or caused any wrongful loss to any person. He had merely extended a friendly loan of Rs.5,00,000/- to co-accused. He has not committed any overt act attracting the provisions of section 66(C) or 66(D) of the Information Technology Act. The prosecution has failed to attribute any role to him in the alleged crime. His mobile number was inadvertently linked to the bank accounts of the co-accused's family members, he has approached to the concerned bank with written application requesting rectification. Nothing has been recorded from him. Charge-sheet has been filed, therefore, his custody is not required. There is no evidence to show that he has ever operated, accessed or benefited from the bank accounts in any manner. He is permanent resident of Nashik. He has no criminal antecedents. He is ready to abide any condition imposed by the Court. He prays to release him on bail.

3. The learned APP opposed the application on the ground that the application is devoid of merit and deserves to be rejected. The applicant/accused being part of an organized cyber fraud causing loss exceeding Rs.58 Crore through digital arrest cannot claim automatic entitlement to bail merely because the charge-sheet has been filed. The filing of charge-sheet is not a change in circumstances. The accused has committed grave economic offence. Mere filing of the charge-sheet does not dilute the seriousness of charges. The investigation remains ongoing in material respects particularly regarding tracing of the amount of Rs.58 Crores and identifying all conspirators. If the applicant/accused released on bail, he may commit similar type of offence. The charge-sheet establishes prima facie evidence of conspiracy involving all 31 accused. The grant of bail will trigger inevitable parity claims from all accused. Grant of bail in this high profile case involving massive fraud will embolden other criminal syndicates and create perception of impunity for economic offenders. It will signal that even after charge-sheet, serious economic crimes can be treated leniently. The trial is about to start through oral, documentary and digital evidence, the release of accused will complicate witness protection, enable collusion amount co-accused and create logistical challenges in securing his presence for trial. She prays for rejection of the application.

4. The applicant/ accused has been arrested for the offence punishable under section 61(2), 112, 126(2), 204, 205, 308(2), 316(2), 318(4), 336(2), 338, 340(2), 351 of the B.N.S r/w. section 66C, 66D of the Information Technology Act. The offence punishable under section 338 of the B.N.S. provides punishment of imprisonment for life.

5. The learned advocate for the applicant submitted that the applicant/accused only earning member of their family. No specific role has been attributed by the prosecution. He has no criminal antecedent. The investigation is completed. It is further submitted that investigation of the case is completed. Further custody of the applicant is not warranted.

6. It has been alleged by the prosecution that the accused persons in furtherance of their common object by doing illegal act which is an agreement designated as a criminal conspiracy, cheated to the informant by purporting to be a officer of TRAI and CBI. The informant was cheated for the amount of Rs.58,13,50,000/-. It is very huge amount.

7. From the charge-sheet, it reveals that the applicant/accused collected some accounts and provided to other accused to transfer the amount. His number was connected with the account of mother and wife of Sachin Govind Pekhale. Moreover, from the charge-sheet is also reveals that the accused transferred some amount in accounts of other accused. He cleverly used the bank accounts of other persons and purchased crypto currency. From the charge-sheet, it reveals that he has played active role in commission of the offence.

8. The learned advocate for the applicant/accused submitted that he never operated any account. However, from the charge-sheet it reveals that mobile number of the applicant/accused was linked with bank accounts of the other persons. It seems that he intentionally operated the accounts of other persons.

9. From the charge-sheet, it reveals that the applicant/accused has taken active participation in commission of the crime. The act done by the applicant/accused is very serious. The offence is regarding digital arrest. Such type of the offences needs to be deal sensitively. The applicants have played active role in commission of crime. Considering the gravity of the offence, filing of the charge-sheet or the offence is triable by this Court are not sufficient grounds to release the accused on bail. Hence, I pass the following order :-

ORDER

The application is rejected.

VINOD RAMRAO PATIL

Digitally signed by VINOD RAMRAO PATIL
Date: 2026.02.25 11:20:00 +0530

Date : 23.02.2026

Addl. Chief Judicial Magistrate,
37th Court, Esplanade, Mumbai