

Crypto miner fined RM27,000 for power theft

Jane Moh

SIBU: The Sessions Court here yesterday fined a 31-year-old unemployed man a total of RM27,000 after he pleaded guilty to two charges of electricity theft for the purpose of cryptocurrency mining.

Judge Marutin Pagan fined Sia Howe Hon RM25,000 in default three months imprisonment for the first charge under Section 33(5) of the Electricity Ordinance.

The Section provides for a maximum fine of RM100,000, or up to five years in prison, or both upon conviction.

According to the first charge, Sia, who was the tenant and consumer of electricity at a residential premises at Lorong Kwong Ann, dishonestly consumed energy in preventing the electricity meter from duly recording accurately the consumption of energy supplied by SESCO Berhad in the course of cryptocurrency mining around 10am on June 22, 2021.

Sia was also fined RM2,000 in default one month in prison for a second charge framed under Section 33(7)(a) of the same Ordinance, which carries a maximum fine of RM5,000, or up to two years in prison, or both.

The second charge was for undertaking any work or engaging in installation of direct tapping cables in the vicinity of the electricity meter in the course

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Stanley Ting

of consuming electricity in a manner likely to cause damage to any person or property, in the course of an activity relating to cryptocurrency mining at the same premises, time, and date.

According to the brief facts of the case, on July 22, 2021, a SESCO inspection team together with the police conducted a check on the premises following a public complaint.

Upon entry into the house compound and the upper floors, the team detected that there were direct tapping cables or wires from the mains connected to electronic equipment such as bitcoin mining machines, a personal computer, and cooling fans.

The inspection team also detected active electricity flow on the direct tapping cables and the measurement reading taken at the said electricity meter was extremely low or close to zero as no electricity passed through it.

Upon questioning by the investigating officer, Sia admitted that he had the knowledge and intention to bypass all electricity meters by installing the direct tapping cables for the sole purpose of powering the

cryptocurrency or bitcoin mining operation.

Defence counsel Stanley Ting appealed for Sia, a first-time offender, to be given a minimum fine.

He said Sia's financial situation should be considered in deciding the amount of fine to be imposed.

"This is to ensure that he is able to pay the fine and avoid from being imprisoned due to his failure to pay the fine.

"It is to be noted that he is unemployed, which means he would be assisted by his family or friends," Ting said.

He said Sia has a strained relationship with his parents and, as a result, did not live with them.

He added the sentence caused his client extreme anxiety.

Deputy public prosecutor Ronald Felix Hardin called for appropriate sentences as a deterrence for rampant cases of electricity theft for crypto mining throughout Sarawak.

"The accused has turned an early childhood education centre or kindergarten into his personal cryptocurrency bitcoin mining operation centre.

"Not only has it deprived access of education to the public, the electricity theft and tampering is extremely dangerous as unsafe wirings and direct tapping can cause fire and even electrocution, leading to injuries and even deaths," he said.

Ronald pointed out the landlord is still liable for the bill arrears issued under Section 33A of the Electricity Ordinance.

He also submitted that it should be a reminder to the public that tampering and stealing electricity is not only illegal but also a dangerous crime as it endangers lives and could cause damage to property.

Sia paid the fines in total.

In a different case, Sia's aunt, Sia Chau Leng, and his father, Sia Tong Khong, were also charged under Section 33(5) of the same Ordinance.

Both pleaded not guilty and were each released on RM5,000 bail with one local surety.

They are to appear to court again on Oct 11 for pre-trial case management.

According to the charge, both allegedly dishonestly consumed energy in preventing the electricity metre from duly recording accurately the consumption of energy supplied at their residential premises on Aug 24, 2022 at about 1.50pm.

Chau Leng was the registered consumer, while Tong Khong was the occupier and consumer of the electricity.