HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THURSDAY, THE THIRTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY

:PRESENT:
THE HON'BLE JUSTICE G.SRI DEVI

CRIMINAL PETITION NO: 696 OF 2020

Between:
Shaik Salawuddin, S/o Shaik Ameed,

Petitioner/Accused No.1

AND

The State of Telangana, rep. by Public Prosecutor, High Court of Telangana at Hyderabad

Respondent/Complainant

Petition under Sections 437 & 439 of Cr.P.C, praying that in the circumstances stated in the petition and the grounds filed therein, the High Court may be pleased to enlarge the petitioner/Accused No. 1 on bail in Cr. No. 225 of 2019 on the file of Central Crime Station, Hyderabad District;

Counsel for the Petitioner : **SRI P.VISHNUVARDHAN REDDY**

Counsel for the Respondent : **ADDL. PUBLIC PROSECUTOR**

The Court made the following;

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.696 of 2020

ORDER:

The petitioner-A1 filed the present application under Sections 437 and 439 of the Code of Criminal Procedure, seeking to grant bail to him in Cr.No.225 of 2019 on the file of Central Crime Station, Hyderabad District, registered for the offences under Sections 406,420 read with Section 34 IPC and under Section 5 of TSPDFE Act, 1999.

2. It is alleged in the complaint that on receipt of a phone call from Eliton Infra Developer, the de-facto complainant along with his wife met their office at Silk Centre, Nampally Station Road, on 17.01.2019, where they explained their scheme for registration of a plot at cheaper rate along with holiday schemes all over the country and abroad and concession in booking of Banquet halls, and accordingly, he paid a sum of Rs.2,75,000/- to them for registration of a plot, but they did not register any plot in his name. Thereafter, he came to know that A1 to A4 and others had cheated many innocent persons in the same way and looted their hard earned money.

3. Learned counsel for the petitioner/A1 submits that the petitioner/A1 has been falsely implicated in the case with an intention to blackmail him and to extract money. He further submits that the petitioner/A1 tendered his resignation and retired from Global Taj Infra Pride Limited Company as its Director on 04.12.2018 and the same was recorded by the Registrar of Companies and thereafter, he never participated in the affairs of

company. He further submits that till tendering his resignation, A1 and A3 had executed sale deed in favour of the purchasers, who fulfilled the contractual obligations as per MOU. He further submits that all the allegations in the complaint are purely civil in nature and that the provision of Section 5 of TSPDEF Act, is not applicable in this case since the company did not receive any deposits from any persons. He further submits that the petitioner hails from respectable family in Hyderabad and he is a law abiding citizen and he shall abide by any condition imposed by this Court.

5. Learned Additional Public Prosecutor vehemently opposed to grant bail to the petitioner/A1 and submits that the petitioner/A1 along with the other accused had collected huge amount of Rs.4 Crores from the innocent public and his share amount comes to Rs.1.5 Crores and that only 15 witnesses were examined and the investigation is in progress.

6. A perusal of the remand report indicates that the petitioner/A1 along with the other accused had collected huge amounts from the victims on the pretext of membership in their packages and under the guise of allotting the plots, and later, they fled away from their company and switched off their phones, thereby cheated the innocent people. However, having regard to the facts and circumstances and since the petitioner/A1 is in judicial custody since 09.12.2019, I am inclined to release him on bail on certain terms and conditions.

7. The Criminal Petition is allowed and the petitioner/A1 shall be released on bail on the following terms and conditions:

(i) That the petitioner/A1 shall execute a personal bond for a sum of Rs.50,000/-(Rupees fifty thousand only) with two sureties for a like sum each to the satisfaction of the Metropolitan Sessions Judge, Hyderabad.

(ii) That the petitioner/A1 shall deposit a sum of Rs.12,50,000/- (Rupees twelve lakhs fifty thousand only) before the trial Court, within 30 days from the date of his release, and the said amount shall be kept in fixed deposit till conclusion of the trial.

(iii) that the petitioner/A1 shall appear before the Investigating Officer on every alternative day between 10.00 AM to 2.00 PM., for a period of three months.

(iv) Thereafter, the petitioner/A1 shall appear before the Court concerned personally on each date of hearing till conclusion of trial.

(v) that the petitioner/A1 shall not indulge in any similar type of activities, in future;

(vi) that the petitioner/A1 shall not tamper with the prosecution witnesses;

(vii) that the petitioner/A1 shall co-operate with the investigating agency.

(viii) that the petitioner/A1 shall not misuse the liberty granted to him.

8. As a sequel, miscellaneous applications, if any pending, shall stand closed.

SD/- K. PRABHAKAR
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Metropolitan Sessions Judge, Hyderabad.
2. The XII Addl. Chief Metropolitan Magistrate, Hyderabad.
3. The Station House Officer, Central Crime Station, Hyderabad District.
4. The Superintendent, Chanchalguda Central Prison, Hyderabad.
5. Two CCs to Public Prosecutor, High Court of Telangana, at Hyderabad (OUT)
6. One CC to Sri P.Vishnuvardhan Reddy, Advocate (OPUC)
7. One Spare Copy

HIGH COURT

GSD,J

DATE: 13-02-2020

ORDER

CRL.P. NO. 696 OF 2020

BAIL