

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**THURSDAY, THE TWELFTH DAY OF MARCH
TWO THOUSAND AND TWENTY**

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

CRIMINAL PETITION NO: 1013 OF 2020

Between:

Gutuloth Keshav Kumar @ Keshav Naik, S/o. Late. Bikshapathi,

Petitioner/Accused No.4

AND

State of Telangana, through SHO, PS, CCS, DD, Hyderabad, Rep. by its Public Prosecutor, High Court for the State 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.4 on Regular Bail in Crime No. 232/2019 of SHO, PS, CCS, DD, Hyderabad and release the petitioner/ accused No.4 release him from the Central Prison, Chanchalguda;

Counsel for the Petitioner : SRI K.S.SUNEEL

Counsel for the Respondent : ADDL. PUBLIC PROSECUTOR

The Court made the following;

CRIMINAL PETITION No.1013 of 2020

ORDER:

The petitioner, who is A.4, has filed the present Criminal Petition under Sections 437 and 439 Cr.P.C. seeking enlargement on bail in Crime No.232 of 2019 of SHO, CCS Police Station, DD, Hyderabad, registered for the offences punishable under Sections 420, 406, 120-B r/w. Section 34 of IPC and Section 5 of the Telangana Protection of Depositors of Financial Establishments Act, 1999.

The case of the prosecution is that the complainant had lodged a complaint before the police stating that the accused company induced her stating about a holiday trips, 120 yards plot and some tickets for resorts and gym facilities in a sum of Rs.3,00,000/- and believing the same, she paid a sum of Rs.2,75,000/-, but the accused company did not provide her any coupons and demanded another sum of Rs.50,000/- and when she demanded to return the amount paid by her, they did not respond. Basing on the said complaint, the police registered the above Crime No.232 of 2019 for the aforesaid offences against A.1 to A.4.

Heard learned counsel for the petitioner/A.4 and the learned Additional Public Prosecutor appearing for the respondent State. Perused the material on record.

Learned counsel for the petitioner contends that the petitioner is no way connected with the alleged offence and though there are no allegations against the petitioner, he has been falsely implicated in the above crime for statistical purpose only. It is contended that the petitioner is working as a Marketing and Customer Care Executive in Fortune Group and earning his livelihood, that whatever allegations made by the complainant are against A.1 and A.2 only, but not against the petitioner and the petitioner is not having any criminal antecedents prior to this case. It is further contended that material part of investigation is completed and the petitioner is ready to abide by any conditions imposed by this Court, including assisting the investigating agency in the event of his release on bail in the above crime and that the petitioner is in judicial custody since last two months.

On the other hand, the learned Additional Public Prosecutor vehemently opposed the bail application and contended that the earlier bail application filed by the petitioner was dismissed by the Court below vide order dt.04.02.2020 in Crl.MP.No.289 of 2020 and, therefore, the petitioner is not entitled for grant of bail.

In view of the above facts and circumstances of the case, without adverting to the merits of the case, by taking into consideration the nature of allegations made against the petitioner/A.4 and since the petitioner is in judicial custody

for the last two months, I am inclined to grant bail to the petitioner on certain terms and conditions.

Accordingly, this Criminal Petition is allowed and the petitioner/A.4 shall be released on bail on the following terms and conditions:

- (i) on the petitioner/A.4 executing a personal bond for Rs.15,000/- (Rupees fifteen thousand only) with two local sureties for a like sum each to the satisfaction of the XII Additional Chief Metropolitan Magistrate, Hyderabad;
- (ii) that the petitioner/A.4 shall not indulge in any similar type of activities, in future;
- (iii) that the petitioner/A.4 shall not tamper with the evidence of prosecution witnesses;
- (iv) that the petitioner/A.4 cooperate with the investigation agency and shall report before the Police Station concerned on every Saturday between 10.00 a.m. and 5.00 p.m. till completion of investigation and filing of charge sheet, whichever is earlier.

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

//TRUE COPY//

SD/- CH. VENKATESHWAR
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Metropolitan Sessions Judge, Hyderabad.
2. The XII Addl. Chief Metropolitan Magistrate, Hyderabad
3. The Station House Officer, PS Central Crime Station, DD, Hyderabad
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 K.S. Suncel, Advocate (OPUC)
7. one Spare Copy

HIGH COURT

GSD,J

DATE: 12-03-2020

ORDER

CRL.P. NO. 1013 OF 2020

BAIL

