

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

TUESDAY, THE THIRTIETH DAY OF MARCH
TWO THOUSAND AND TWENTY ONE.

:PRESENT:

THE HON'BLE JUSTICE G.SRI DEVI

CRIMINAL PETITION NOS: 1485 & 1629 OF 2021

CrI. P. No. 1485 of 2021:

Between:

Hemanth Kumar Jha, S/o. Bimlender Kumar Jha,

Petitioner/Accused No.2

AND

The State of Telangana, Rep. by its Public Prosecutor, High Court of Telangana

Respondent

Petition under Section 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. 2 in Crime No. 06 of 2021 on the file of the SHO, Pet Basheerabad, P.S., Cyberabad on any conditions in the interest of justice;

Counsel for the Petitioner : SRI T.BALA MOHAN REDDY

Counsel for the Respondent : ASST. PUBLIC PROSECUTOR

CRIMINAL PETITION NO: 1629 OF 2021

Between:

Manjunath V @ Manjunath Venkatesh, S/o. Venkatesh,

Petitioner/Accused No.7

AND

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

Respondent

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 herein/Accused No.7 on bail in Crime No. 6 of 2021 on the file of Pet Basheerabad Police Station, Cyberabad Commissionerate, Ranga Reddy District.

**Counsel for the Petitioner : SRI T.SURYA SATISH, REP.
SRI PRADEEP KUMAR SRIRAMBHATLA**

Counsel for the Respondent : ASST. PUBLIC PROSECUTOR

The Court made the following;

THE HONOURABLE JUSTICE G. SRI DEVI
CRIMINAL PETITION Nos.1485 and 1629 of 2021

COMMON ORDER:

Since both these criminal petitions, under Sections 437 and 439 of the Code of Criminal Procedure, 1973, arise out of Cr.No.6 of 2021 on the file of Pet. Basheerabad Police Station, Cyberabad Commissionerate, Ranga Reddy District, registered for the offences punishable under Section 67 of IT Act, 2008, and under Sections 384, 420, 306 and 109 IPC, they are being disposed of by this common order.

2. Crl.P.No.1485 of 2021 is filed by petitioner/A2 and Crl.P.No.1629 of 2021 is filed by petitioner/A7 seeking to grant bail to them in connection with the aforesaid crime.

3. Heard Sri T. Bala Mohan Reddy, learned counsel for the petitioner/A2 in Crl.P.No.1485 of 2021; Sri T. Surya Satish, learned counsel for the petitioner/A7 in Crl.P.No.1629 of 2021, learned Assistant Public Prosecutor appearing for the respondent-State and perused the record.

4. Learned counsel for the petitioner/A2 in Crl.P.No.1485 of 2021 submits that the petitioner has been falsely implicated in the aforesaid crime without there being any involvement in commission of the alleged offences. He further submits that even as per the allegations made in the complaint, the petitioner is one of the Directors of the Company and that the alleged call data records of the deceased collected by police does not reveal that the petitioner has made any phone call or threatened him or defamed him before committing suicide. He further submits that the allegations that the petitioner along with A1 runs into a business of M/s.Fish Cash Tecnology Private Limited in Gurgaon, Haryana State, which was having an app in the name of 'Rupee Plus' and that they used to target gullible customers on loan app to sanction the loan and A1

indulged in defaming, threatening the innocent customers, which lead to commit suicide by the deceased, are all false and baseless. He further submits that there are no direct allegations against the petitioner except stating that he is the Managing Director of the company. He further submits that the petitioner was arrested on 18.01.2021 and was brought on a transit warrant on 22.01.2021 and that the entire investigation is completed, except filing of the charge sheet. He also submits that the petitioner is not having any criminal antecedents and he is a law abiding citizen and ready to abide by any condition imposed by this Court in the event of his enlargement on bail.

5. Learned counsel for the petitioner/A7 in CrI.P.No.1629 of 2021 submits that the petitioner/A7 being HR Manager at Juss IT Technologies Private Limited, Bangalore, has been falsely implicated in the present crime and he has no correlation to the financial aspects of other company. He further submits that the petitioner was arrested on 21.01.2021 and that except the general allegations that all the accused with an evil intention to cheat the innocent customers in order to extort the amount, paid loans through different apps and thereafter they used to pressurize the innocent customers and accordingly, harassed the deceased physically and mentally, there is no specific allegation against the petitioner. He further submits that the call data record of the deceased does not disclose that the petitioner/A7 has neither abetted, nor threatened or defamed the deceased before his relatives or anybody connecting with the deceased. He also submits that the petitioner is not having any criminal antecedents and he is a law abiding citizen and ready to abide by any condition imposed by this Court in the event of his enlargement on bail.

6. Learned Assistant Public Prosecutor vehemently opposed the bail application and submitted that the petitioners, through different loan apps

have cheated several people and that when the innocent customers were unable to make repayment of the loan availed by them, the accused used to defame the customers before their relatives and friends and used to harass them for repayment of the loans and that the investigation is still in progress and as such, the petitioners may not be released on bail.

7. As seen from the contents of the FIR, it seems that the crime has been registered on 02.01.2021 and that material witnesses have already been examined so also the confessional statements of all the accused and as such, further detention of petitioners may not be necessary for the purpose of further investigation. Thus, looking into the nature of allegations leveled against the petitioners and other facts and circumstances, without adverting to the merits of the case, I am inclined to grant bail to the petitioners.

8. The Criminal Petition is allowed and the petitioner/A2 in Cr.P.No.1485 of 2021 and the petitioner/A7 in Cr.P.No.1629 of 2021 are directed to be released on bail, subject to the following terms and conditions:

- (i) The petitioners shall be released on bail on their executing a personal bond to the tune of Rs.1,00,000/- (Rupees one lakh only) each with two sureties, out of which one surety shall be from their native place i.e., the address given in the cause title, for a like sum each to the satisfaction of the XXII Additional Metropolitan Magistrate, Medchal, Cyberabad.
- (ii) On such release, the petitioners shall appear before the Investigating Officer on every Saturday between 10.00 AM to 2.00 PM., till completion of investigation or filing of the charge sheet, whichever is earlier.

(iii) the petitioners shall surrender their respective passports before the Court concerned and they shall not leave the territory of India without prior permission of the Court.

(iv) The petitioners shall appear before the Court concerned personally on each date of hearing till conclusion of trial.

(v) the petitioners shall not indulge in any similar type of activities, in future; If they are indulged in similar type of activities in future, liberty granted to them shall stand cancelled automatically.

(vi) the petitioners shall not tamper with the prosecution witnesses;

(vii) the petitioners shall co-operate with the investigating agency.

(viii) the petitioners shall not misuse the liberty granted to them.

9. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

//TRUE COPY//

SD/- V.SUDHA
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The XIV Addl. Metropolitan Sessions Judge, Ranga Reddy District, L.B. Nagar.
2. The XXII Addl. Metropolitan Magistrate, Cyberabad.
3. The Superintendent, Central Prison, Cherlapally, Ranga Reddy District.
4. The Station House Officer, Pet Basheerabad Police Station, Cyberabad.
5. Two CCs to Public Prosecutor, High Court of Telangana, at Hyderabad (OUT)
6. one CC to Sri Pradeep Kumar Sriramhatla, Advocate (OPUC)
7. One CC to Sri T.Bala Mohan Reddy, Advocate (OPUC)
8. One Spare Copy

HIGH COURT

GSD,J

DATE: 30-03-2021

ORDER

CRL.P. NOS. 1485 & 1629 OF 2021

BAIL

