

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

FRIDAY, THE THIRTEENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE JUSTICE G SRI DEVI
CRIMINAL PETITION NO: 5270 OF 2021

Between:

Mohammed Subhan, S/o Jeelani

Petitioner/Accused No.1

AND

The State of Telangana, Through the PS.Cybercrime Rachakonda.
represented by the public prosecutor High court Buildings at
Hyderabad

Respondent/Complainant

Petition under Section 438 of Cr.P.C, praying that in the
circumstances stated in the grounds filed in the Criminal Petition,
the High Court may be pleased to enlarge the petitioner on bail in
Crime No.417 of 2021 dated 15/4/2021 of cyber crime
Rachakonda, SHO, R.R.District in the event of his arrest by the
respondent /police

The petition coming on for hearing, upon perusing the
Petition and the grounds filed in support thereof and upon
hearing the arguments of SRI J C FRANCIS Advocate for the
Petitioner and the Assistant Public Prosecutor for the Sole
Respondent, the Court made the following.

ORDER

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO.5270 OF 2021

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A-1 seeking to grant anticipatory bail in the event of his arrest in connection with Crime No.417 of 2021 of Cyber Crime P.S., Rachakonda, registered for the offences punishable under Sections 417, 419 and 420 of the Indian Penal Code and Sections 66-C and 66-D of the Information Technology Act.

Heard the learned counsel appearing for the petitioner/A-1, learned Assistant Public Prosecutor appearing for the respondent-State and perused the record.

Learned counsel for the petitioner/A-1 would submit that the petitioner is innocent of the offences alleged against him and has been falsely implicated. The petitioner is having fixed abode and there is no question of absconding. It is further submitted that the petitioner/A-1 is willing to furnish suitable security and abide by any condition which this Court may deem fit to impose in the event of granting anticipatory bail. Hence, it is prayed that the petitioner/A-1 be granted anticipatory bail.

Learned Assistant Public Prosecutor opposed to grant anticipatory bail to the petitioner/A-1.

As per the contents of the FIR, there is no role attributed to the present petitioner and he is not at all involved in this case and has not committed any offence.

Looking into the facts and circumstances of the case, without delving into the merits of the same, I am inclined to grant anticipatory bail to the petitioner/A-1.

The Criminal Petition is allowed and the petitioner/A-1 is granted anticipatory bail subject to the following terms and conditions:

- (1) The petitioner/A-1 is directed to surrender before the Station House Officer, P.S. Cyber crime, Rachakonda, within a period of four weeks from the date of this order and on such surrender, the said Station House Officer shall release the petitioner/A-1 on bail on his executing personal bond for a sum of Rs.1,00,000/- (Rupees one lakh only) with two sureties for a like sum each to his satisfaction.
- (2) The petitioner/A-1 shall appear before the investigating authorities on every Monday between 10.00 am to 05.00 pm till completion of investigation and filing of final report.
- (3) The petitioner/A-1 shall deposit a sum of Rs.6,50,000/- (Rupees six lakh fifty thousand only) before the Court concerned within a period of four weeks from today and shall furnish an affidavit specifically showing the deposit made by the petitioner, as directed by this Court.
- (4) The petitioner/A-1 shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade

him from disclosing such fact to the investigating authority.

- (5) The petitioner/A-1 shall not act in any manner which would be prejudicial to fair and expeditious investigation.
- (6) If the petitioner/A-1 fails to comply with the aforesaid conditions, liberty granted to him shall automatically stand cancelled.
- (7) The petitioner/A-1 shall not misuse the liberty granted to him, failing which the Court concerned shall take appropriate action in accordance with law.
- (8) The petitioner/A-1 shall comply with the other conditions as laid down under Section 438(2) Cr.P.C and co-operate with the Investigating authorities.

Miscellaneous applications, if any, pending shall stand closed.

//TRUE COPY//

SD/- I. NAGA LAKSHMI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The VII Metropolitan Magistrate cum Excise Court at L.B.Nagar, Rachakonda. ✓
2. The Station House Officer, PS. Cybercrime Rachakonda. ✓
3. One CC to SRI. J C FRANCIS Advocate [OPUC] ✓
4. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad. [OUT] ✓
5. One spare copy

HIGH COURT

GSDJ

DATED:13/08/2021

ORDER

CRLP.No.5270 of 2021

BAIL



A handwritten signature in dark ink, consisting of a long horizontal stroke followed by a large, sweeping loop that curves upwards and to the left. The signature is located in the lower right quadrant of the page.