

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No.431 of 2022

O R D E R:

This Criminal Petition is filed under Sections 437 and 439 Cr.P.C seeking regular bail to the petitioner – Accused No. 1 in connection with Crime No. 1993 of 2021 of Detective Department, CCS, Hyderabad, wherein the petitioner is alleged to have committed the offences punishable under Sections 419, 420 IPC. and Section 66(C)(D) of the Information Technology Act, 2008.

2. The case of the prosecution is that on 20.12.2021, at 15.30 hours, a report was received from Sri K.R. Harini Srivalli stating that during the month of November 2017, she received Whats App call from the petitioner (9399989007) who explained about his *on line* digital marketing business in the name and style of Dragons Hut Inc. The de facto complainant agreed for the same and the petitioner insisted her to invest 2,50,000/- for which he would pay Rs.25,000/- per month as profit. The de facto complainant trusted his words and invested huge amount of Rs.28,50,000/-, but the petitioner was not paying the promised amounts and started giving evasive replies. The petitioner thereafter, cheated her and caused total loss of Rs. 31,00,000/-.

3. Learned counsel for the petitioner Sri P. Allam Ramesh submits that even as per the report, the de facto complainant voluntarily has come forward and invested the amount. It is stated that the petitioner transferred Rs.9,25,000/- to the account of the de facto complainant on different dates. He submits that this is a pure business transaction between the petitioner and the de facto complainant and as the business was not running profitably and

as he could not pay the amounts, the present complaint is filed. He submits that the petitioner was arrested and remanded to judicial custody on 06.01.2022 and since then, he has been languishing in jail, hence, his case may be considered for grant of bail.

4. On the other hand, learned Additional Public Prosecutor submits that investigation is pending and the petitioner cheated the de facto complainant and extracted huge amounts from her. He submits that so far, four witnesses were examined, hence, at this stage, the petitioner is not entitled for grant of bail.

5. Taking into consideration the nature of allegations and even as per the report, the petitioner had paid certain amounts and failed to repay the other amounts and as it appears, it is purely a business transaction between the parties and as the petitioner has been languishing in jail from the last 30 days, this Court deems it appropriate to grant bail to him.

6. Accordingly, this Criminal Petition is allowed and the petitioner – Accused No. 1 shall be enlarged on bail on his executing a personal bond for a sum of Rs.20,000/- (Rupees twenty thousand only) with two sureties for a like sum each to the satisfaction of the XII Additional Chief Metropolitan Magistrate, Nampally, Hyderabad. The petitioner shall cooperate with the investigating agency.

LALITHA KANNEGANTI, J

3rd February, 2022

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