

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.12158 OF 2023

ORDER:

1. This Criminal Petition is filed under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short "Cr.P.C") seeking regular bail to the petitioner/Accused No.3 in Crime.No.266 of 2023 on the file of Central Crime Station, DD, Hyderabad, registered for the offences under Sections 406, 409 and 420 r/w.120 (B) of IPC and Section 5 of the Telangana State Protection of Depositors of Financial Establishment Act, 1999.
2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent-State and perused the record.
3. The case of the prosecution is that A-1 and A-2 had floated firms and collected deposits to an extent of Rs.68 crores. The said amounts were collected under the guise of doing business in fast moving consumer goods.
4. It is alleged that after the crime was registered, this petitioner promised to help A-1 and A-2 with respect to pending criminal case and demanded an amount of Rs.1 crore from

them for his services. According to the investigation, it was confessed by A-1 and A-2 that petitioner had taken an amount of Rs.1 crore.

5. Learned Senior counsel appearing for the petitioner would submit that even according to the prosecution case, the petitioner had nothing to do with any kind of business that was being run by A-1 and A-2 nor with the deposits collected. At most, the offence can be made out is for harboring offender which is punishable under Section 202 of IPC.

6. It is not in disputed that this petitioner was not involved in collection of funds. However, it is alleged that he tried to extort money from A-1 and A-2 and had collected deposits and also provided them shelter and also legal help to get them out of the case.

7. Since the petitioner was not involved in any of the offence of collecting deposits and cheating firms and the basis for implication of the petitioner is only confession by A-1 and A-2, this Court deems it appropriate to grant the relief of regular bail, subject to following conditions:-

- i) The petitioner/Accused No.3 shall execute 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 XII Additional Chief Metropolitan Magistrate, Nampally, Hyderabad.

ii) The petitioner/Accused No.3 after release shall appear before the concerned Station House Officer on every Monday at 10:00 a.m. for a period of eight weeks for the purpose of investigation and thereafter, as and when required.

iii) The petitioner/Accused No.3 shall abide by the other conditions stipulated under Section 437(3) of Cr.P.C.

8. Accordingly, this Criminal Petition is allowed. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

Date : 15.12.2023
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K.SURENDER, J

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Dt.15.12.2023

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