

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION Nos.51 and 295 of 2024

COMMON ORDER:

The CrI.P.No.51 of 2024 is filed under Section 438 of Cr.P.C by petitioners/accused Nos.1 to 4 seeking anticipatory bail in the event of their arrest in connection with F.I.R No.198 of 2023 dated 30.06.2023 on the file of the PS, Central Crime Station, Hyderabad, registered for the offences punishable under Sections 406, 420 r/w 34 of IPC, Sections 3, 4, 5 and 6 PCMC Act 1978 and Section 5 of TSPDFE Act. The CrI.P.No.295 of 2024 is filed under Section 439 of Cr.P.C by petitioner/accused No.5 seeking to enlarge him on bail in connection with the said FIR.

2. Since both the Criminal Petitions are filed seeking bail in connection with the very same FIR, they are being disposed of by way of this common order.

3. Heard both learned counsel for the petitioners, learned Additional Public Prosecutor for the respondent-State and perused the record.

4. The de facto complainant filed a written complaint with the Dy. Commissioner of Police, CCS, Detective Department, Hyderabad on 27.06.2023 alleging that the petitioners were indulging in Multi Level Marketing business. She had invested Rs.1,20,000/- on the promise that she would get good result within one year. Having invested Rs.1,20,000/- as sleeping partner, an amount of Rs.3,603/-, Rs.11420/-, 23,837, Rs.46,898/- and Rs.1,03,958/- were given on different dates. Accordingly, she got good results and she also introduced her friends. However, the investments made by others were not returned. On the basis of the said complaint, police registered the FIR.

5. Both the learned counsel for the petitioners would submit that the de facto complainant has voluntarily invested in the company and the question of attracting any penal consequences does not arise.

6. Learned counsel for the petitioner/accused No.5 in CrI.P.No.295 of 2024 would submit that the petitioner is a Software Employee and has nothing to do with the alleged fraud.

7. Learned Additional Public Prosecutor opposed the bail applications stating that there are seven (07) victims who are affected by these petitioners.

8. However, keeping in view that the transactions are borne by record, the petitioners in CrI.P.No.51 of 2024 are granted the relief of anticipatory bail, subject to the following conditions:

- 1) The petitioners/accused Nos.1 to 4 are directed to surrender before the Station House Officer, PS, Central Crime Station (CCS), DD, Hyderabad, on or before 31.01.2024. Upon such surrender, the said Station House Officer shall release the petitioners/accused Nos.1 to 4 on bail, on their executing personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) each with two sureties for a like sum each to his satisfaction.
- 2) On such release, the petitioners/accused Nos.1 to 4 shall appear before the concerned Police on every day at 10am for a period of ten (10) days and thereafter, as and when required for the purpose of investigation.
- 3) The petitioners/accused Nos.1 to 4 shall abide by the other conditions stipulated in Section 438(2) of

Cr.P.C and shall co-operate with the Investigating Officer in investigating the case.

9. Further, the petitioner in CrI.P.No.295 of 2024 is granted the relief of regular bail, subject to following conditions:

1) The petitioner/accused No.5 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 Metropolitan Sessions Judge, Hyderabad.

2) The petitioner/accused No.5 after release shall appear before the concerned Station House Officer on every day at 10am for a period of ten (10) days and thereafter, as and when required for the purpose of investigation.

3) The petitioner/accused No.5 shall abide by the other conditions stipulated under Section 437(3) of Cr.P.C.

10. Accordingly, both the Criminal Petitions are allowed. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

K.SURENDER, J

Date : 23.01.2024
gvl

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION Nos.51 and 295 of 2024
Dt.23.01.2024

gvl