

**THE HONOURABLE DR.JUSTICE G. RADHA RANI**

**CRIMINAL PETITION Nos.2570 and 2577 of 2024**

**COMMON ORDER:**

Criminal Petition No.2570 of 2024 is filed by the petitioner – A16 and Criminal Petition No.2577 of 2024 is filed by the petitioner – A15 under Section 438 of Code of Criminal Procedure for grant of anticipatory bail in the event of their arrest in Crime No.598 of 2021 of Ramachandrapuram Police Station, Cyberabad, registered for the offences under Sections 419, 420, 406, 467, 468 and 471 of IPC.

2. The case of the prosecution in brief was that on 02.08.2021 at 10:00 hours, the Assistant General Manager of Union Bank of India, Punjagutta, Hyderabad lodged a report stating that about 11 accounts dealt by individual borrowers having different properties mortgaged with their Ramachandrapuram Branch had fabricated nala and sale deed documents and mortgaged them as sureties and obtained huge amounts towards business loans and diverted the amount for their personal use.

3. Basing on the said report, the above crime was registered and investigation was taken up. During the course of investigation, it was submitted that the complainant again submitted a letter in which it was stated that four

more account holders were noticed by them in diverting the amount of loan sanctioned by the Bank Authorities and the names of the present petitioners were shown as the account holders, who obtained loan for M/s.Vishnu Sai Pharma. It was submitted that the petitioners were Directors of the said M/s.Vishnu Sai Pharma and that they obtained business loan from Andhra Bank, Jyothi Nagar, Ramachandrapuram during the years 2016-2017. On 04.03.2020, Andhra Bank merged in Union Bank of India.

4. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the respondent – State.

5. Learned counsel for the petitioners submitted that the petitioners were not arrayed as an accused initially. They were arrayed as accused as per the remand case diary of A1 to A4, A6 to A8 and A9 to A13. The prosecution had collected the evidence in support of their allegations. The Revenue Divisional Officer, Suryapet had furnished necessary documents to the prosecution. The Bank Authorities had already initiated legal proceedings against the petitioners' company before Debt Recovery Appellate Tribunal and collected all the evidence pertaining to the petitioners' company loan account. He further submitted that the accused A10 was granted bail by this Court vide Criminal Petition No.3471 of 2022 and the petitioners also stand on the same footing as that of A10 and prayed to enlarge the petitioners on anticipatory bail.

6. Learned Additional Public Prosecutor opposed grant of anticipatory bail to the petitioners stating that they have cheated the banks to a tune of more than Rupees Two Hundred Lakhs and furnished fabricated land conversion documents and misused the loan amount by converting them for their personal use.

7. Perused the record.

8. Considering that the allegations of obtaining the loan was pertaining to the year 2016 and the case was registered in the year 2021 and as it was reported that the Investigating Officer had collected the documents from both the Bank and Revenue Authorities and as there was no scope to influence the witnesses and the accused A10 was granted bail by this Court and as the present petitioners – A15 and A16 also stand on the same footing as that of A10, it is considered fit to enlarge them on anticipatory bail on certain conditions.

9. In the result, the Criminal Petitions are allowed and the petitioners – A15 and A16 are granted anticipatory bail subject to the following conditions:

(i) The petitioners – A15 and A16 are directed to surrender before the Station House Officer of PS Ramachandrapuram, Cyberabad within a period of (15) days from the date of this Order, and on such surrender, the SHO of PS Ramachandrapuram, Cyberabad shall release the petitioners – A15 and A16 on bail on their executing a personal bond for

Rs.1,00,000/- (Rupees One Lakh Only) each with two sureties for the like sum each to the satisfaction of the said Station House Officer.

(ii) The petitioners – A15 and A16 shall comply with all the conditions stipulated under Section 438(2) of Cr.P.C.

As a sequel, miscellaneous applications pending in these petitions, if any shall stand closed.

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**Dr. G. RADHA RANI, J**

**Date: 07<sup>th</sup> March, 2024  
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