

THE HON'BLE Dr. JUSTICE G. RADHA RANI

CRIMINAL PETITION No.3548 of 2024

ORDER:

This Criminal Petition is filed by the petitioner/A6 under Sections 437 and 439 of Cr.P.C. for grant of regular bail in Crime No.92 of 2024 of Raidurgam Police Station, Cyberabad, registered for the offences punishable under Section 364-A, 347, 170, 419, 420, 506, 147 and 149 read with 120-B of IPC.

2. The case of the prosecution, in brief, was that on 27.01.2024 at 22:00 hours, the *de facto* complainant, the Director of AJA ADS Private Limited lodged a report before Raidurgam Police Station stating that on 26.01.2024 at about 1:30 A.M., five people entered into his office by introducing themselves as Police of CBCID and asked their employees to stop the work and started taking pictures and videos of them and went to the server room and turned off power supply to the systems and removed the DVR of the CCTVs of the company. When the complainant asked their identity, one of them has shown his ID card in the Mobile on which the officer name was shown as Shaik Abdul Quadir, Assistant Investigating Officer, CID Cyber Crimes, Government of Andhra Pradesh,

Police Department. Further two among them had taken the complainant into his cabin and asked to cooperate with the police and when he asked about the reason for their visit, they started showing some mails in their laptop stating that the MHA had received a complaint from US officials about their client insta fix for wrong doings by a customer to MHA and that a taxation fraud was also reported against them. When the complainant asked them to show some specific evidence for the raid, they showed some Government official mails in their laptops. Meanwhile, the other three persons commanded their employees and collected their mobile phones and threatened them to sit silently in their respective places. When the complainant was in a state of shock for what they have done wrong with the client, meantime one person took him aside and asked to go with a proposal to settle the issue there itself, on which the complainant requested them to allow him to speak with his company client consultant Mr.Kapil to help him in this issue. Then the complainant called Kapil and explained the things in the office. Further they started negotiations with Kapil through his phone and demanded Rs.10 crores. On negotiation, finally they came down to 2.3 crores as final settlement. For the

sake of their employees lives and company reputation, having no other go, they were forced to agree for 2.3 crores. But with a limited time option, complainant was only able to arrange 71.80 lakhs and transferred the said amount from three of the company's accounts to four of their accounts. After amounts were credited into their accounts, they left all the employees by taking photographs and personal details of the employees, but confined four of them. Thereafter at about 06:30 A.M., on repeated requests of employee Ravi, they left him by taking his ATM cards and online banking credentials. Later, they took all three of them forcefully in their vehicles to a Hotel at Madhapur, kidnapped and confined them in a locked room of the hotel and threatened to kill them, if they failed to pay the remaining amount. Thereafter, they started disposal of the money credited in their accounts. They transferred some amounts to their accounts through Crypto currency wallet and withdrawn some cash from ATMs. When the accused persons tried to contact Kapil for remaining amount, suddenly Kapil stopped attending calls from them. As such they got suspicion on Kapil that he might have approached the police, on that they left the complainant and other two employees in the

room and fled away from the spot. Later, on verifying their accounts, the complainant found that an amount of Rs.5,30,098/- was transferred from his account, an amount of Rs.1,00,000/- was withdrawn and Rs.99,999/- was transferred through online from the account of Ravi and an amount of Rs.1,50,000/- was withdrawn and Rs.5,78,000/- was transferred through online from the account of Chetan. Basing on the aforesaid report, the subject crime was registered and A1 to A8 were arrested on 28.01.2024.

3. Heard the learned counsel for petitioner/A6 and the learned Additional Public Prosecutor representing the respondent-State.

4. Learned counsel for the petitioner/A6 submitted that the petitioner/A6 was doing small scale business. The prosecution had already taken A1 to A3 into their custody and they were also released on bail. A4 was also released on bail on 04.03.2024 and A5 was released on bail on 23.02.2024. He further submitted that A7 and A8 were also granted bail on 15.03.2024. The entire investigation was completed except filing of charge sheet and prayed to enlarge the petitioner/A6 on bail.

5. Learned Additional Public Prosecutor opposed grant of bail to the petitioner/A6 stating that the petitioner/A6 was part of the conspiracy. He booked the balcony rooms in the Hotel, where the complainant and other two employees were confined and also helped the other accused in providing cars and prayed to dismiss the bail petition of the petitioner/A6.

6. Perused the record.

7. Considering that the petitioner was arrested on 28.01.2024 and he was in judicial custody for more than 64 days and all the other accused persons are also granted bail and there are no criminal antecedents reported against the petitioner and his custodial interrogation was completed and his further custody was not required for further investigation of the case, it is considered fit to enlarge the petitioner/A6 on bail.

8. Accordingly, the Criminal Petition is allowed and the petitioner/A6 is granted regular bail subject to the following conditions:

- i) The petitioner/A6 is directed to be released on bail on his executing a 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 learned XIII Additional Metropolitan Magistrate, Rajendranagar.

- 2) The petitioner/A6 shall abide by the conditions stipulated under Section 437(3) of Cr.P.C.

Miscellaneous petitions pending, if any, shall stand closed.

Dr. G. RADHA RANI, J

April 02, 2024
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