

THE HON'BLE Dr. JUSTICE G. RADHA RANI

CRIMINAL PETITION No.12789 OF 2024

ORDER:

This criminal petition is filed by the petitioner – Accused No.1 under Section 482 of Bharatiya Nagrik Suraksha Sanhitha, 2023 (for short BNSS) for grant of anticipatory bail in Cr.No.1097 of 2024 of Kukatpally Police Station, Medchal-Malkajgiri District registered for the offences under Section 318(4), 316(2) read with Section 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short BNS).

2. The petitioner was arrayed as accused No.1 in the above crime basing on the complaint given by the defacto complainant, wherein he stated that he was a student in International Institute of Aviation and before his admission he was guaranteed 100% placement as ground staff of Airlines within six months of the course. He completed the course. He paid a substantial amount of Rs.80,000/- towards fee. But even after 13 months of his enrolment the management could not provide the promised placement and that it was a breach of commitment made to him. He further submitted that the petitioner-accused No.1 and one Saanvi Sinha changed the name of institute into Gotop Edutech Private Limited and started another business to cheat more people

and many people became victims through the petitioner-accused No.1 and one Pallavi and Narendra in the name of both the institutes.

3. Heard Sri Ravi Kumar, learned counsel for the petitioner and learned Additional Public Prosecutor for respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner was neither a partner nor director in International Institute of Aviation. He was only a faculty member. One Sumeet Suseelan and his wife Smiley Sood were the shareholders of the alleged institute and prayed for grant of anticipatory bail to the petitioner-accused No.1.

5. Learned Additional Public Prosecutor opposed grant of anticipatory bail to the petitioner-accused No.1 stating that it was the petitioner who promised the defacto complainant guaranteeing placement but it was not the directors or share holders of the company.

6. Considering that there was no written agreement filed by the defacto complainant to show that he was guaranteed 100% placement at the time of taking admission in the said institute and

no document was filed to show the connection between the petitioner-accused No.1 with the said institute, it is considered a fit case to enlarge the petitioner on anticipatory bail.

7. In the result, the Criminal Petition is allowed directing the petitioner-accused No.1 to be released on bail in the event of his arrest in the above crime subject to the following conditions:

- i) The petitioner - accused No.1 shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty five thousand only) with two sureties each for a like sum to the satisfaction of the Station House Officer, P.S.Kukatpally, Medchal-Malkajgiri District.
- ii) The petitioner – accused No.1 shall abide by the other conditions stipulated in Section 482 (2) of Bharatiya Nagarik Suraksha Sanhitha, 2023.

Dr. G. RADHA RANI, J

November 05, 2024
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