

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.13698 of 2024

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.2 in Crime No.993 of 2024 of Bachupally Police Station, Cyberabad District, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 05.10.2024, the de-facto complainant filed a report alleging that his friend by name Mr.K.Lokabhi-A4 introduced him to D.Naresh Chandra shekar-A1 as Zonal Manager of ICICI Bank and further informed that A1 is expert in mutual funds and A1 along with Kornepati Prabhu Shekar-A2 started a company by name M/s. Nexus Growth Services Ltd., for exclusively carrying out mutual funds operations and if he invest using Kotak Nifty 50 Regular Index, he would get 26% growth, upon believing the same, the defacto complainant has given Rs.90,00,000/- in cash to A1 to invest in mutual funds and further he also sent an amount of Rs.65,00,000/- through online from another friends wife Account to M/s.Nexus

Growth Services Ltd., and when the defacto complainant tried to reach A1 through phone, he could not succeed. Thereafter, a case was registered under Crime No.993 of 2024 for the offences under Sections 316(2), 318(4) r/w 3(5) of BNS, 2023 and took up the investigation. Consequentially, A2 got arrested on 16-10-2024 and was produced before the Court and remanded to judicial custody. Hence, the present criminal petition.

3. Heard Sri G.Prem Kumar Reddy, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Manoon, learned Additional Public Prosecutor appearing on behalf of the respondent.

4. Learned counsel for the petitioner submitted that petitioner is in judicial custody from 17-10-2024 and on 02-11-2024, afternoon, the petitioner herein was taken to Hospital by the Jail staff due to his critical condition, and upon diagnosis, it was found that larger than 5mm stones in both kidneys (Renal Calculi/nephrolithiasis) and in bladder and suffering from fatty liver (Hepatic Steatosis), upon which the Doctor advised the Jail Authorities that the petitioner herein requires immediate surgery. It is further submitted

that on 08-11-2024, when the petitioner's health condition turned serious, he was taken to Hospital and the Doctor advised the jail authorities that the situation is becoming multifaceted and requires immediate surgery. However, the Jail authorities were managing with the tablets. Therefore, he prayed the Court to grant bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that in the last occasion also they stood on the same medical grounds and prayed the Court to dismiss the criminal petition.

6. After considering submissions made by both the learned counsel and reviewing the record, it appears that the petitioner is suffering with Renal Calculi/nephrolithiasis and Hepatic Steatosis, learned counsel for the petitioner filed a report to that effect. In the said circumstances, this Court deems it fit to grant bail to the petitioner subject to the following conditions.

- i. The petitioner shall execute a personal bond for a sum of

Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each to the satisfaction of the learned PJCJ-Cum-XI Additional Metropolitan Magistrate, Medchal-Malkajgiri at Kukatpally.

- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) weeks, for the purpose of investigation, and thereafter, as and when required.
- iii. The petitioner shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 14.11.2024
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