

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.13843 of 2024

ORDER:

This Criminal Petition is filed under section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of pre-arrest bail to the petitioner who is arrayed as accused No.1 in Crime No.356 of 2023 of Central Crime Police Station, Hyderabad.

2. The brief facts of the case are that Premchand Kolli, Director of Maxoind Tech Solutions Pvt. Ltd., filed a complaint alleging fraudulent activities by Ravi Kumar Daparthi and Swamijee Kakarla. In the year 2017, the son of Kolli, Venkata Subba Rao Kolli, funded Daparthi's software project, leading to the incorporation of Maxoind Tech Solutions with Kolli and Daparthi as directors. Daparthi served as Chief Technical Officer until 2020, then shifted to Oorwin Labs India Pvt. Ltd. During the absence of the complainant in India from September 2022 - April 2023, Daparthi allegedly manipulated company operations, including relocating the office and appointing Swamijee Kakarla as an Additional Director

through fabricated Board resolutions and documents filed with the Registrar of Companies (ROC). This unauthorized appointment enabled Daparthi and Swamijee to seize control of Maxoind Tech Solutions, leading to the discovery of serious fraudulent activities against companies of the complainant.

3. Heard Sri B. Vamshidhar Reddy, learned counsel appearing on behalf of the petitioner as well as Sri Rudresh Deshpande, learned Assistant Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner/accused No.1 faces similar allegations to Accused Nos.2 to 4, who initially had their anticipatory bail requests denied by this Court. However, the Hon'ble Supreme Court subsequently allowed their appeals vide Criminal Appeal Nos.4225 to 4227 of 2024. He further submitted that as the allegations leveled against the petitioner are similar to accused No.2, he requested the Court to grant anticipatory bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor has opposed the grant of anticipatory bail stating that the investigation is not yet completed and if he is not arrested,

there is every possibility to hamper the investigation, therefore, he prayed the Court to dismiss the criminal petition.

6. In the light of the submissions made by both the learned counsel and a perusal of the material available on record, as the allegations leveled against the petitioner are similar to the allegations leveled against accused No.2, and further, the Hon'ble Supreme Court granted anticipatory bail to accused No.2 in the same crime, as such, this Court deems it fit to grant anticipatory bail to the petitioner subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer of Central Crime Police Station within two weeks from today, and on such surrender, the said Station House Officer shall release the petitioner on bail on executing personal bond for Rs.25,000/- with two sureties each for the like sum.
- ii. The petitioner shall abide by the other conditions stipulated in Section 482 (2) of Bharatiya Nagarik Suraksha Sanhita, 2023

and co-operate with the
Investigating Officer in investigating
the case.

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand
closed.

K. SUJANA, J

Date: 18.11.2024
SAI

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SAI