

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION Nos.13899, 13900, 13943 and 13961 of 2024

COMMON ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused in Crime No.56 of 2023 of Kodangal Police Station, Vikarabad District; Crime No.98 of 2023 of Chintakani Police Station, Khammam District; Crime No.648 of 2023 of KUC Police Station, Warangal District and Crime No.268 of 2023 of Jangoan Police Station, Warangal District, on bail, the present Criminal Petition is filed.

2. The brief facts of these cases are that the Police received a cyber complaint regarding fraud messages and links from the unknown numbers asking to send money to get profits and part-time earnings. Based on the complaint, cases was registered vide Crime No.56 of 2023 before the Kodangal Police, Crime No.98 of 2023 before the Chintakani Police, Crime No.648 of 2023 before the KUC Police and Crime No.268 of 2023 before the Jangoan Police, for the offences punishable under Sections 420, 419 of IPC and Sections 66-C, 66-D of ITA.

3. Heard Sri B.Pavan, 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-State.

4. Learned counsel for the petitioner *firstly* submitted that the petitioner filed a complaint on 26.04.2023 before the National Cyber

Crimes Reporting Portal vide acknowledgement No.20802230013970 regarding suspicious transaction activities in the alleged account. He *secondly* submitted that the petitioner is no way concerned with the alleged offences as the petitioner is unaware about the transactions in the alleged account. He *thirdly* submitted that all the material witnesses were examined, and further detention of the petitioner is unnecessary. He *lastly* submitted that the petitioner has been in judicial custody since August, 2024, causing undue hardship to his family. The allegations are false and fabricated. The petitioner is resident of Delhi, with movable and immovable properties, and is willing to furnish sureties as directed. 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 though charge sheet is filed in Crime No.648 of 2023, the investigation is not yet completed in other cases, therefore, granting bail to the petitioner, at this stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. After considering submissions from both the parties and reviewing the record, since the petitioner is languishing in jail since August, 2024 and charge sheet is filed in Crime No.648 of 2023 and also material part of the investigation is completed in all other cases, 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) each, with any two sureties for a like sum each to the satisfaction of any one of the concerned Court. Further, the personal bond so executed by the petitioner and the bond so executed by the two sureties shall hold good for all the remaining cases as per the decision of the Apex Court in ***Girish Gandhi v. State of Uttar Pradesh and others***¹.
- 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.(presently, Section 480(3) of the BNSS)

7. Accordingly, these Criminal petitions are allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 04.12.2024

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¹ 2024 SCC Online SC 2142

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