

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.14398 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.5 in Crime No.166 of 2024 of Ramgopalpet Police Station, Hyderabad.

2. The brief facts of the case is that accused No.5, who is the neighbour of *de facto* complainant stated him that accused No.1 is his brother-in-law and working as Editor and he got contract in Health Department and have good contacts with higher officials in Health Department. Presently there were job vacancies in contract basis and will be permanent within three months. Believing his words, *de facto* complainant and other 23 members paid money to petitioner/accused No.1 through accused No.5 by cash and online. Later accused Nos.3 and 4 and other accused conducted job training with some unknown persons and gave appointment orders and collected an amount of 6 lakhs from each person through cash and online and totally 1.40 crores collected. Later the *de facto* complainant went to Government Hospital for joining along with appointment order, they informed that the appointment order is fake. Then, all the candidates asked about their money return back, the petitioner and other accused persons postponed upto corona end but failed to provide jobs. Later, when the *de*

facto complainant tried to reach the petitioner and other accused persons, they warned him that they will not give money back, no one can take action against us and they switched off their cell phones. Based on the complaint, a case was registered vide Crime No.166 of 2024 before the Ramgopalpet Police Station, Hyderabad, for the offences punishable under Sections 420, 467, 468, 471 read with 34 of IPC.

3. Heard Sri Tanaji Pradeep Kumar, learned counsel for petitioner/accused No.5 and Sri Sri Syed Yasar Manoon, learned Additional Public Prosecutor appearing on behalf of the respondent No.1-State.

4. Learned counsel for the petitioner would submit that petitioner/accused No.5 is innocent and he has been falsely implicated in this case. He further submitted that accused No.1 in said crime had filed an anticipatory bail before this Court vide Crl.P.No.8987 of 2024 and the same was allowed by this Court on 27.08.2024 and accused Nos.3 and 4 who are arrayed in said crime had also filed an anticipatory bail before this Court in vide Crl.P.No.8986 of 2024 and the same was allowed by this Court dated 13.08.2024. He further submits that there is a delay of nearly five years in lodging the complaint and most of the investigation is completed, except filing of charge sheet. Hence, he prayed for grant of anticipatory bail.

5. The learned Additional Public Prosecutor has opposed the grant of anticipatory bail stating that specific allegations are levelled against the accused No.5. He further submits that investigation in the case is in progress and if the petitioner is released on bail at this stage, he may tamper with the evidence, and hence, it is not a fit case for grant of anticipatory bail. Hence, prayed to dismiss the petition.

6. Having heard both sides and perused the material on record, it is apparent that there is a delay of nearly five years in lodging the complaint and material part of the investigation is completed. In the said circumstances, this Court is of the considered view that the petitioner/accused No.5 can be granted anticipatory bail subject to the following conditions:

1. The petitioner/accused No.5 shall surrender before the Station House Officer of Ramgopalpeta, within two weeks from today, and on such surrender, the said Station House Officer shall release him on bail on his executing a personal bond for Rs.25,000/- with two sureties each for the like sum.
2. The petitioner/accused No.5 shall appear before the Station House Officer concerned on every Saturday in between 11.00 a.m. and 04.00 p.m. for a period of eight (08)

weeks or till filing of charge sheet,
whichever is earlier.

3. The petitioner/accused No.5 shall abide by the other conditions stipulated in Section 482 (2) Bharatiya Nagarik Suraksha Sanhitha, 2023 and co-operate with the Investigating Officer in investigating the case.

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

Date: 06.12.2024
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K. SUJANA, J

41

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