

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.14427 of 2024

ORDER:

Seeking the Court to enlarge the petitioner who are arrayed as accused No.1 in Crime No.817 of 2024 of Cyber Crime Police Station, Detective Department, Hyderabad, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 31.03.2024, Sri Nishit Goel, filed a complaint stating that he was a victim of a job scam. He received a message on Telegram from an ID @archana365, offering a part-time job rating Mahindra Estate properties through the Mahindra Life Space page. Believing it to be genuine, Goel followed the instructions and received Rs.1,000/-. He was then asked to deposit Rs.10,000/- to start rating other properties, and he received a total of Rs.15,000/-. Over the next few days, Goel made additional deposits, totaling Rs.7,69,217/-, but eventually realized he had been scammed.

3. Heard Sri M. Phanindra Bhargav, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar

Mamoon, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner has been falsely implicated in the case and is a victim of cybercrime. The petitioner is a law-abiding citizen with a small business and has no connection to the alleged crime. He further submitted that the police investigation was improper, and the sections listed in the FIR do not apply to the actions of the petitioner. The statement of the complainant and the remand report do not implicate the petitioner in any offense. He contended that the petitioner has been in judicial custody for 27 days and has filed a bail petition before the XII Addl. Chief Judicial Magistrate, which was dismissed. This is the first bail petition before this Hon'ble Court, and there are no similar petitions pending or filed before any court of law. The petitioner is the sole breadwinner of his family and his detention in jail would cause significant hardship. 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 submitted that the petitioner, along with other accused,

misled individuals under the guise of offering part-time jobs. Since accused Nos.2 to 6 are absconding and the investigation is ongoing, the prosecutor argued that releasing the petitioner on bail would hinder the investigation and prayed for the dismissal of the criminal petition.

6. After considering the submissions made by both the learned counsel and reviewing the material available on record, the Court finds that the petitioner, a native of Uttar Pradesh, is charged for the offence punishable under sections of the 66C, D of IT Act and Sections 419, 420, 467, 468 and 471 of IPC. The petitioner contends that aside from the de facto complainant, there are no other victims, and the complainant even received money from the petitioner. The record shows the petitioner has been in jail since 30.10.2024. As the material part of the investigation is completed, this Court deems it fit to grant bail to the petitioner with 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 two sureties for a like sum each to the satisfaction of the XII

Additional Chief Judicial Magistrate,
Nampally, Hyderabad.

- ii. The petitioner shall appear before the concerned SHO between 11:00 a.m. and 05:00 p.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: 04.12.2024
SAI

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