

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.14503 of 2024

ORDER:

This Criminal Petition is filed under section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for granting of pre-arrest bail to the petitioner who is arrayed as accused in Crime No.4 of 2024 of CCS EOW Team-IV Police Station, Hyderabad.

2. The brief facts of the case are that the *de-facto* complainant deposited certain amounts for purchasing a middle class dream home in the Buvanteza Happy Homes Project and later, when he inquired about the progress in the said project, the management of the said project is avoiding him by not giving proper response. It is stated that though the directors of Bhuvanteza Infraprojects Private Limited collected amounts under guise of pre-launch of real estate by promising to issue property in the name of depositors, there is no progress in the said project. Hence, a case was registered vide Crime No.4 of 2024 before the CCS EOW Team-IV Police, Hyderabad, for the offences punishable under Sections 406, 420 read with 34 of the IPC and Section 5 of TSPDFEA.

3. Heard Sri G.Chandra Mohan, 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 submitted that the petitioner is only marketing agent and he is no way concerned with the alleged offences. He further submitted that there is no corroborative evidence to prove that the amounts collected in the name of the said project, are deposited in the bank account of the petitioner. Hence, he prayed the Court to grant anticipatory bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the investigation is not yet completed, therefore, granting anticipatory bail to the petitioner, at this stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. Having regard to the submissions made by both the parties and a perusal of the material placed on record, it is apparent that the petitioner, being marketing agent, convinced the customers to invest in the said project and there is no corroborative evidence to prove that the said invested amount

was deposited in the bank account of the petitioner. Therefore, considering the facts and circumstances of the case, this Court is of the considered view that it is a fit case for granting of anticipatory bail to the petitioner.

7. Accordingly, this petition is allowed granting anticipatory bail to the petitioner subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer of P.S. CCS EOW Team-IV, Hyderabad, within two weeks from today, and on such surrender, the said Station House Officer shall release him on bail on executing a personal bond for Rs.25,000/- with two sureties, for the like sum each.
- ii. The petitioner shall appear before the concerned Station House Officer on every Monday between 9:00 A.M. to 10 P.M., for a period of eight (08) weeks or till filing of charge sheet whichever is earlier.

- iii. 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.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 10.12.2024

gms

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.14503 of 2024

Date: 10.12.2024

gms